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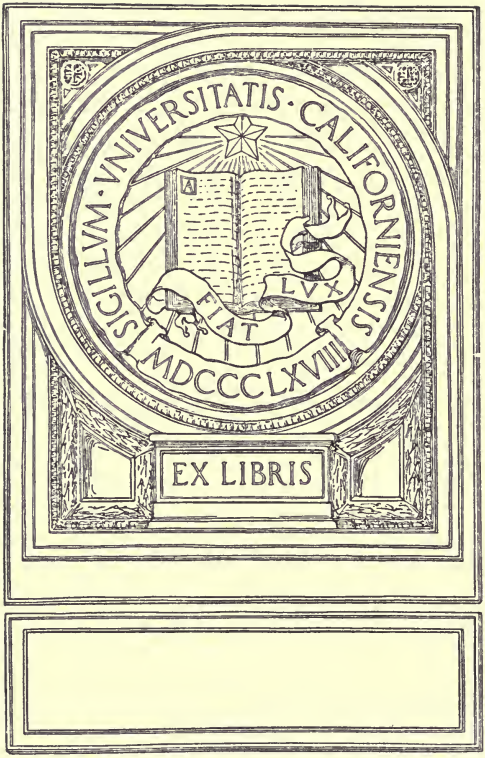
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Memorable American Speeches

III
Slavery

WENDELL PHILLIPS

FROM A PHOTOGRAPH BY J. W. BLACK

The Lakeside Classics

Memorable American Speeches

III
Slavery

COLLECTED AND EDITED
BY
JOHN VANCE CHENEY

The Lakeside Press, Chicago
R. R. DONNELLEY & SONS COMPANY
CHRISTMAS, MCMIX

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Publishers' Preface

THE annual volume of the Lakeside Classics continues the series of Memorable American Speeches; and again the publishers have been embarrassed by the great amount of material from which to make a selection. The size of the volume precludes any attempt to give an adequate review of the oratorical literature of the slavery period; but with the aid of Mr. John Vance Cheney, whose wide reading and rare critical ability make him specially fitted for the task of selecting and editing these speeches, the publishers believe that they are presenting a volume well worth the perusal of the busy man.

The purpose of the publication of these volumes is to convey an annual greeting to the friends and patrons of the Lakeside Press, and the publishers have adopted this medium as best expressing the ideals of a printing-house that aims, even under the demands of modern commerce, to hold fast to the real essentials of good book-making.

Relying upon the belief that the aspirations of the Lakeside Press may be of interest to their friends, the publishers feel that it will not be amiss to say another word upon the working out of their recently established apprenticeship system; for upon the success

of this apprenticeship system, they believe, rests the hope of maintaining in the future their ideals of taste and craftsmanship.

A little over a year ago, the school for apprentices of the Lakeside Press was organized, last year's volume being the first production of the school. Another year's experience has strengthened the faith of the publishers in their plan. The plan is to place boys at their life-work immediately after their graduation from grammar school, thus avoiding the usual demoralizing hiatus of two or three years between school and serious employment; to teach during a portion of the day the technique of the trade and the correlated academic studies in a factory school in order that the boys may become skillful craftsmen, and the balance of the day in the factory on actual commercial work that they may become industrious and efficient workmen. The work of the second-year boys shows a technique and grounding in the theory of correct composition that promises in time an organization for the Lakeside Press that will make for intelligence and efficiency. No greater proof of the worth of this school can be given than the interest shown by the parents in the progress of the boys and their co-operation in maintaining discipline.

THE PUBLISHERS.

CHRISTMAS, 1909.

Introductory Note

THE period of our history covered by the present volume stands second only in importance to the creative days of the declaration and achievement of freedom and independence. Four speakers have been chosen to lead the reader back over memorable scenes of it, set aglow by their genius, and so contributing splendid glimpses of a fateful struggle of principles unsurpassed in bravery, glory and worth in the long records of men.

These four orators, statesmen, patriots and gentlemen, all had the accent of the charmer; and to exercise it, they "stood upon the world's great threshold," at the time now engaging our attention, eagerly regarded by their countrymen and by peoples divided from us by the seas. Their voices are mighty yet, inviting to the difficult task of a choice between them: whether the greener laurel should crown the graceful periods of Pinkney, the trenchant and ready dialectic of the "Little Giant," the ornate, fearless fervor of Sumner, or the clear, bell-strokes of the one man among them, Phillips, who could wholly lose himself in his cause.

The speeches are, Sumner's excepted, given practically entire; the few omissions being concerned with negligible interruptions of the speaker.

J. V. C.

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Memorable American Speeches

William Pinkney

(1764–1822)

ON THE MISSOURI QUESTION

[Delivered February 15, 1820, in the Senate.]

AS I am not a very frequent speaker in this assembly, and have shown a desire, I trust, rather to listen to the wisdom of others than to lay claim to superior knowledge by undertaking to advise, even when advice, by being seasonable in point of time, might have some chance of being profitable, you will, perhaps, bear with me if I venture to trouble you once more on that eternal subject which has lingered here until all its natural interest is exhausted, and every topic connected with it is literally worn to tatters. I shall, I assure you, sir, speak with laudable brevity; not merely on account of the feeble state of my health, and from some reverence for the laws of good taste which forbid me to speak otherwise, but also from a sense of justice to those who honor me with their attention. My single purpose, as I suggested yesterday, is to subject to a friendly yet close examination some portions of a speech, imposing, certainly, on account of the distinguished quarter from whence it came; not very imposing (if I may

so say without departing from that respect which I sincerely feel and intend to manifest for eminent abilities and long experience) for any other reason.

I believe, Mr. President, that I am about as likely to retract an opinion which I have formed as any member of this body, who, being a lover of truth, inquires after it with diligence before he imagines that he has found it; but I suspect that we are all of us so constituted as that neither argument nor declamation, leveled against recorded and published decision, can easily discover a practicable avenue through which it may hope to reach either our heads or our hearts. I mention this lest it may excite surprise when I take the liberty to add that the speech of the honorable gentleman from New York [Rufus King], upon the great subject with which it was principally occupied, has left me as great an infidel as it found me It is possible, indeed, that if I had had the good fortune to hear that speech at an earlier stage of this debate, when all was fresh and new,—although I feel confident that the analysis which it contained of the Constitution, illustrated as it was by historical anecdote rather than by reasoning, would have been just as unsatisfactory to me then as it is now,—I might not have been altogether unmoved by those warnings of approaching evil which it seemed to intimate, especially when taken in connection with the observations of the same

honorable gentleman on a preceding day, "that delays in disposing of this subject in the manner he desires are dangerous, and that we stand on slippery ground." I must be permitted, however (speaking only for myself), to say that the hour of dismay is passed. I have heard the tones of the larum bell on all sides, until they have become familiar to my ear, and have lost their power to appal, if, indeed, they ever possessed it. Notwithstanding occasional appearances of rather an unfavorable description, I have long since persuaded myself that the Missouri question, as it is called, might be laid to rest with innocence and safety, by some conciliatory compromise at least, by which, as is our duty, we might reconcile the extremes of conflicting views and feelings without any sacrifice of constitutional principles; and in any event, that the Union would easily and triumphantly emerge from those portentous clouds with which this controversy is supposed to have environed it.

I confess to you, nevertheless, that some of the principles announced by the honorable gentleman from New York, with an explicitness that reflected the highest credit on his candor, did, when they were first presented, startle me not a little. They were not, perhaps, entirely new. Perhaps I had seen them before in some shadowy and doubtful shape,

"If shape it might be call'd that shape had none.
Distinguishable in member, joint, or limb."

But in the honorable gentleman's speech they were shadowy and doubtful no longer. He exhibited them in forms so boldly and accurately defined, with contours so distinctly traced, with features so pronounced and striking, that I was unconscious for a moment that they might be old acquaintances. I received them as *novi hospites* within these walls, and gazed upon them with astonishment and alarm. I have recovered, however, thank God, from this paroxysm of terror, although not from that of astonishment. I have sought and found tranquillity and courage in my former consolatory faith. My reliance is that these principles will obtain no general currency; for, if they should, it requires no gloomy imagination to sadden the perspective of the future. My reliance is upon the unsophisticated good sense and noble spirit of the American people. I have what I may be allowed to call a proud and patriotic trust that they will give countenance to no principles which, if followed out to their obvious consequences, will not only shake the goodly fabric of the Union to its foundations, but reduce it to a melancholy ruin. The people of this country, if I do not wholly mistake their character, are wise as well as virtuous. They know the value of that federal association which is to them the single pledge and guarantee of power and peace. Their warm and pious affections will cling to it as to their only hope of prosperity and hap-

piness, in defiance of pernicious abstractions, by whomsoever inculcated, or howsoever seductive or alluring in their aspect.

Sir, it is not an occasion like this, although connected, as contrary to all reasonable expectation it has been, with fearful and disorganizing theories, which would make our estimates, whether fanciful or sound, of natural law, the measure of civil rights and political sovereignty in the social state that can harm the Union. It must, indeed, be a mighty storm that can push from its moorings this sacred ark of the common safety. It is not every trifling breeze, however it may be made to sob and howl, in imitation of the tempest, by the auxiliary breath of the ambitious, the timid, or the discontented, that can drive this gallant vessel, freighted with everything that is dear to an American bosom, upon the rocks, or lay it a sheer hulk upon the ocean. I may, perhaps, mistake the flattering suggestions of hope (the greatest of all flatterers, as we are told), for the conclusions of sober reason. Yet it is a pleasing error, if it be an error, and no man shall take it from me. I will continue to cherish the belief, in defiance of the public patronage given by the honorable gentleman from New York, with more than his ordinary zeal and solemnity, to deadly speculations, which, invoking the name of God to aid their faculties for mischief, strike at all establishments, that the union of these States is formed to bear up against far greater shocks

than, through all vicissitudes, it is ever likely to encounter. I will continue to cherish the belief that, although like all other human institutions it may for a season be disturbed, or suffer momentary eclipse by the transit across its disk of some malignant planet, it possesses a recuperative force, a redeeming energy in the hearts of the people, that will soon restore it to its wonted calm, and give it back its accustomed splendor. On such a subject I will discard all hysterical apprehensions; I will deal in no sinister auguries; I will indulge in no hypochondriacal forebodings. I will look forward to the future with gay and cheerful hope; and will make the prospect smile, in fancy at least, until overwhelming reality shall render it no longer possible.

I have said thus much, sir, in order that I may be understood as meeting the constitutional question as a mere question of interpretation, and as disdaining to press into the service of my argument upon it prophetic fears of any sort, however they may be countenanced by an avowal, formidable by reason of the high reputation of the individual by whom it has been hazarded, of sentiments the most destructive, which if not borrowed from are identical with the worst visions of the political philosophy of France when all the elements of discord and misrule were let loose upon that devoted nation. I mean "the infinite perfectibility of man and his institutions," and the resolution of every-

thing into a state of nature. I have another motive which, at the risk of being misconstrued, I will declare without reserve. With my convictions, and with my feelings, I never will consent to hold confederated America as bound together by a silken cord, which any instrument of mischief may sever, to the view of monarchical foreigners, who look with a jealous eye upon that glorious experiment which is now in progress amongst us in favor of republican freedom. Let them make such prophecies as they will, and nourish such feelings as they may; I will not contribute to the fulfillment of the former, nor minister to the gratification of the latter.

Sir, it was but the other day that we were forbidden (properly forbidden, I am sure, for the prohibition came from you) to assume that there existed any intention to impose a prospective restraint on the domestic legislation of Missouri; a restraint to act upon it contemporaneously with its origin as a state, and to continue adhesive to it through all the stages of its political existence. We are now, however, permitted to know that it is determined by a sort of political surgery to amputate one of the limbs of its local sovereignty, and thus mangled and disparaged, and thus only, to receive it into the bosom of the Constitution. It is now avowed that, while Maine is to be ushered into the Union with every possible demonstration of studious reverence on our part, and on

hers, with colors flying, and all the other graceful accompaniments of honorable triumph, this ill-conditioned upstart of the west, this obscure foundling of a wilderness that was but yesterday the hunting-ground of the savage, is to find her way into the American family as she can, with an humiliating badge of remediless inferiority patched upon her garments, with the mark of recent, qualified manumission upon her, or rather with a brand upon her forehead to tell the story of her territorial vassalage, and to perpetuate the memory of her evil propensities. It is now avowed that, while the robust district of Maine is to be seated by the side of her truly respectable parent, co-ordinate in authority and honor, and is to be dandled into that power and dignity of which she does not stand in need, but which undoubtedly she deserves, the more infantine and feeble Missouri is to be repelled with harshness, and forbidden to come at all unless with the iron collar of servitude about her neck instead of the civic crown of republican freedom upon her brows, and is to be doomed for ever to leading-strings unless she will exchange those leading-strings for shackles.

I am told that you have the power to establish this odious and revolting distinction, and I am referred for the proofs of that power to various parts of the Constitution, but principally to that part of it which authorizes the admission of new states into the Union. I

am myself of opinion that it is in that part only that the advocates for this restriction can, with any hope of success, apply for a license to impose it; and that the efforts which have been made to find it in other portions of that instrument are too desperate to require to be encountered. I shall, however, examine those other portions before I have done, lest it should be supposed by those who have relied upon them that what I omit to answer I believe to be unanswerable.

The clause of the Constitution which relates to the admission of new states is in these words: "The Congress may admit new states into this Union," etc., and the advocates for restriction maintain that the use of the word "may" imports discretion to admit or to reject; and that in this discretion is wrapped up another, — that of prescribing the terms and conditions of admission in case you are willing to admit, *Cujus est dare ejus est disponere*. I will not for the present inquire whether this involved discretion to dictate the terms of admission belongs to you or not. It is fit that I should first look to the nature and extent of it.

I think I may assume that if such a power be anything but nominal, it is much more than adequate to the present object; that it is a power of vast expansion to which human sagacity can assign no reasonable limits; that it is a capacious reservoir of authority from which you may take, in all time to come, as occasion

may serve, the means of oppression as well as of benefactions. I know that it professes, at this moment, to be the chosen instrument of protecting mercy, and would win upon us by its benignant smiles; but I know, too, it can frown and play the tyrant if it be so disposed. Notwithstanding the softness which it now assumes, and the care with which it conceals its giant proportions beneath the deceitful drapery of sentiment, when it next appears before you it may show itself with a sterner countenance and in more awful dimensions. It is, to speak the truth, sir, a power of colossal size; if, indeed, it be not an abuse of language to call it by the gentle name of a power. Sir, it is a wilderness of powers, of which fancy, in her happiest mood, is unable to perceive the far distant and shadowy boundary. Armed with such a power, with religion in one hand and philanthropy in the other, and followed with a goodly train of public and private virtues, you may achieve more conquests over sovereignties not your own than falls to the common lot of even uncommon ambition. By the aid of such a power, skilfully employed, you may "bridge your way" over the Hellespont that separates state legislation from that of Congress; and you may do so for pretty much the same purpose with which Xerxes once bridged his way across the Hellespont that separates Asia from Europe. He did so, in the language of Milton, "the liberties of

Greece to yoke." You may do so for the analogous purpose of subjugating and reducing the sovereignties of states, as your taste or convenience may suggest, and fashioning them to your imperial will. There are those in this House who appear to think, and I doubt not sincerely, that the particular restraint now under consideration is wise and benevolent and good; wise as respects the Union, good as respects Missouri, benevolent as respects the unhappy victims whom with a novel kindness it would incarcerate in the South, and bless by decay and extirpation. Let all such beware, lest, in their desire for the effect which they believe the restriction will produce, they are too easily satisfied that they have the right to impose it. The moral beauty of the present purpose, or even its political recommendations (whatever they may be), can do nothing for a power like this, which claims to prescribe conditions *ad libitum* and to be competent to this purpose because it is competent to all. This restriction, if it be not smothered in its birth, will be but a small part of the progeny of that prolific power. It teems with a mighty brood, of which this may be entitled to the distinction of comeliness as well as of primogeniture. The rest may want the boasted loveliness of their predecessor, and be even uglier than "Lapland witches."

Perhaps, sir, you will permit me to remind you that it is almost always in company with

those considerations that interest the heart in some way or other that encroachment steals into the world. A bad purpose throws no veil over the licenses of power. It leaves them to be seen as they are. It affords them no protection from the inquiring eye of jealousy. The danger is when a tremendous discretion like the present is attempted to be assumed, as on this occasion, in the names of pity, of religion, of national honor and national prosperity; when encroachment tricks itself out in the robes of piety, or humanity, or addresses itself to pride of country, with all its kindred passions and motives. It is then that the guardians of the Constitution are apt to slumber on their watch, or, if awake, to mistake for lawful rule some pernicious arrogation of power.

I would not discourage authorized legislation upon those kindly, generous, and noble feelings which Providence has given to us for the best of purposes; but when power to act is under discussion, I will not look to the end in view, lest I should become indifferent to the lawfulness of the means. Let us discard from this high constitutional question all those extrinsic considerations which have been forced into its discussion. Let us endeavor to approach it with a philosophic impartiality of temper, with a sincere desire to ascertain the boundaries of our authority, and a determination to keep our wishes in subjection to our allegiance to the Constitution.

Slavery, we are told in many a pamphlet, memorial, and speech with which the press has lately groaned, is a foul blot upon our otherwise immaculate reputation. Let this be conceded, yet you are no nearer than before to the conclusion that you possess power which may deal with other subjects as effectually as with this. Slavery, we are further told, with some pomp of metaphor, is a canker at the root of all that is excellent in this republican empire, a pestilent disease that is snatching the youthful bloom from its cheek, prostrating its honor, and withering its strength. Be it so, yet if you have power to medicine to it in the way proposed, and in virtue of the diploma which you claim, you have also power in the distribution of your political alexipharmics to present the deadliest drugs to every territory that would become a state, and bid it drink or remain a colony forever. Slavery, we are also told, is now "rolling onward with a rapid tide towards the boundless regions of the west," threatening to doom them to sterility and sorrow unless some potent voice can say to it, Thus far shalt thou go, and no farther. Slavery engenders pride and indolence in him who commands, and inflicts intellectual and moral degradation on him who serves. Slavery, in fine, is unchristian and abominable. Sir, I shall not stop to deny that slavery is all this and more; but I shall not think myself the less authorized to deny that it is for you to stay the

course of this dark torrent by opposing to it a mound raised up by the labors of this portentous discretion on the domain of others,—a mound which you cannot erect but through the instrumentality of a trespass of no ordinary kind,—not the comparatively innocent trespass that beats down a few blades of grass which the first kind sun or the next refreshing shower may cause to spring again, but that which levels with the ground the lordliest trees of the forest, and claims immortality for the destruction which it inflicts.

I shall not, I am sure, be told that I exaggerate this power. It has been admitted here and elsewhere that I do not. But I want no such concession. It is manifest that as a discretionary power it is everything or nothing, that its head is in the clouds, or that it is a mere figment of enthusiastic speculation, that it has no existence, or that it is an alarming vortex ready to swallow up all such portions of the sovereignty of an infant state as you may think fit to cast into it as preparatory to the introduction into the Union of the miserable residue. No man can contradict me when I say that if you have this power you may squeeze down a new-born sovereign state to the size of a pigmy, and then, taking it between finger and thumb, stick it into some niche of the Union, and still continue, by way of mockery, to call it a state in the sense of the Constitution. You may waste it to a shadow, and then

introduce it into the society of flesh and blood, an object of scorn and derision. You may sweat and reduce it to a thing of skin and bone, and then place the ominous skeleton beside the ruddy and healthful members of the Union, that it may have leisure to mourn the lamentable difference between itself and its companions, to brood over its disastrous promotion, and to seek in justifiable discontent an opportunity for separation and insurrection and rebellion. What may you not do, by dexterity and perseverance, with this terrific power? You may give to a new state, in the form of terms which it cannot refuse (as I shall show you hereafter), a statute book of a thousand volumes, providing not for ordinary cases only, but even for possibilities; you may lay the yoke, no matter whether light or heavy, upon the necks of the latest posterity; you may send this searching power into every hamlet for centuries to come, by laws enacted in the spirit of prophecy, and regulating all those dear relations of domestic concern which belong to local legislation, and which even local legislation touches with a delicate and sparing hand. This is the first inroad. But will it be the last? This provision is but a pioneer for others of a more desolating aspect. It is that fatal bridge of which Milton speaks, and when once firmly built, what shall hinder you to pass it, when you please, for the purpose of plundering power after power at the expense

of new states, as you will still continue to call them, and raising up prospective codes, irrevocable and immortal, which shall leave to those states the empty shadows of domestic sovereignty, and convert them into petty pageants, in themselves contemptible, but rendered infinitely more so by the contrast of their humble faculties with the proud and admitted pretensions of those who, having doomed them to the inferiority of vassals, have condescended to take them into their society and under their protection?

I shall be told, perhaps, that you can have no temptation to do all or any part of this, and, moreover, that you can do nothing of yourselves, or, in other words, without the concurrence of the new state. The last of these suggestions I shall examine by and by. To the first, I answer, that it is not incumbent upon me to prove that this discretion will be abused. It is enough for me to prove the vastness of the power as an inducement to make us pause upon it, and to inquire with attention whether there is any apartment in the Constitution large enough to give it entertainment. It is more than enough for me to show that, vast as is this power, it is, with reference to mere territories, an irresponsible power. Power is irresponsible when it acts upon those who are defenseless against it, who cannot check it, or contribute to check it, in its exercise; who can resist it only by force.

The territory of Missouri has no check upon its power. It has no share in the government of the Union. In this body it has no representative. In the other House it has, by courtesy, an agent, who may remonstrate, but cannot vote. That such an irresponsible power is not likely to be abused, who will undertake to assert? If it is not, "experience is a cheat and fact a liar." The power which England claimed over the colonies was such a power, and it was abused, and hence the Revolution. Such a power is always perilous to those who wield it as well as to those on whom it is exerted. Oppression is but another name for irresponsible power, if history is to be trusted.

The free spirit of our Constitution and of our people is no assurance against the propension of unbridled power to abuse when it acts upon colonial dependents rather than upon ourselves. Free states, as well as despots, have oppressed those whom they were bound to foster; and it is the nature of man that it should be so.

The love of power, and the desire to display it when it can be done with impunity, is inherent in the human heart. Turn it out at the door, and it will in again at the window. Power is displayed in its fullest measure, and with a captivating dignity, by restraints and conditions. The *pruritus leges ferendi* is an universal disease; and conditions are laws as

far as they go. The vanity of human wisdom and the presumption of human reason are proverbial. This vanity and this presumption are often neither reasonable nor wise. Humanity, too, sometimes plays fantastic tricks with power. Time, moreover, is fruitful in temptations to convert discretionary power to all sorts of purposes.

Time, that withers the strength of man and "strews around him like autumnal leaves the ruins of his proudest monuments," produces great vicissitudes in modes of thinking and feeling. It brings along with it, in its progress, new circumstances, new combinations and modifications of the old, generating new views, motives and caprices, new fanaticisms of endless variety, in short, new everything. We ourselves are always changing, and what to-day we have but a small desire to attempt, to-morrow becomes the object of our passionate aspirations.

There is such a thing as enthusiasm,—moral, religious, or political, or a compound of all three,—and it is wonderful what it will attempt, and from what imperceptible beginnings it sometimes rises into a mighty agent. Rising from some obscure or unknown source, it first shows itself a petty rivulet which scarcely murmurs over the pebbles that obstruct its way, then it swells into a fierce torrent bearing all before it, and then again, like some mountain stream, which occasional rains have pre-

cipitated upon the valley, it sinks once more into a rivulet, and finally leaves its channel dry. Such a thing has happened. I do not say that it is now happening. It would not become me to say so. But if it should occur, woe to the unlucky territory that should be struggling to make its way into the Union at the moment when the opposing inundation was at its height, and at the same instant this wide Mediterranean of discretionary powers, which it seems is ours, should open up all its sluices, and with a consentaneous rush mingle with the turbid waters of the others!

. . . . .

"New states may be admitted by the Congress into this Union." It is objected that the word "may" imports power, not obligation—a right to decide; a discretion to grant or refuse.

To this it might be answered that power is duty on many occasions. But let it be conceded that it is discretionary. What consequence follows? A power to refuse, in a case like this, does not necessarily involve a power to exact terms. You must look to the result which is the declared object of the power. Whether you will arrive at it or not may depend on your will; but you cannot compromise with the result intended and professed.

What then is the professed result? To admit a state into this Union. What is that Union? A confederation of states equal in

sovereignty, capable of everything which the Constitution does not forbid or authorize Congress to forbid. It is an equal union between parties equally sovereign. They were sovereign independently of the Union. The object of the Union was common protection for the exercise of already existing sovereignty. The parties gave up a portion of that sovereignty to insure the remainder. As far as they gave it up by the common compact they have ceased to be sovereign. The Union provides the means of defending the residue; and it is into that Union that a new state is to come. By acceding to it the new state is placed on the same footing with the original states. It accedes for the same purpose, i. e., protection for their unsurrendered sovereignty. If it comes in shorn of its beams, crippled and disparaged beyond the original states, it is not into the original Union that it comes. For it is a different sort of Union. The first was Union *inter pares;* this is a Union between "disparates," between giants and a dwarf, between power and feebleness, between full-proportioned sovereIgnties and a miserable image of power,—a thing which that very Union has shrunk and shriveled from its just size, instead of preserving it in its true dimensions.

It is into "this Union," i. e., the Union of the Federal Constitution, that you are to admit or refuse to admit. You can admit into no other. You cannot make the Union as to the

new state what it is not as to the old; for then it is not this Union that you open for the entrance of a new party. If you make it enter into a new and additional compact is it any longer the same Union?

We are told that admitting a state into the Union is a compact. Yes, but what sort of a compact? A compact that it shall be a member of the Union as the constitution has made it. You cannot new fashion it. You may make a compact to admit, but when admitted the original compact prevails. The Union is a compact with a provision of political power and agents for the accomplishment of its objects. Vary that compact as to a new state, give new energy to that political power so as to make it act with more force upon a new state than upon the old; make the will of those agents more effectually the arbiter of the fate of a new state than of the old, and it may confidently be said that the new state has not entered into this Union, but into another Union. How far the Union has been varied is another question. But that it has been varied is clear.

If I am told that by the bill relative to Missouri, you do not legislate upon a new state, I answer that you do; and I answer further that it is immaterial whether you do or not. But it is upon Missouri as a state that your terms and conditions are to act. Until Missouri is a state the terms and conditions

are nothing. You legislate in the shape of terms and conditions, prospectively, and you so legislate upon it that when it comes into the Union it is to be bound by a contract degrading and diminishing its sovereignty, and is to be stripped of rights which the original parties to the Union did not consent to abandon, and which that Union (so far as depends upon it) takes under its protection and guarantee.

Is the right to hold slaves a right which Massachusetts enjoys? If it is, Massachusetts is under this Union in a different character from Missouri. The compact of Union for it is different from the same compact of Union for Missouri. The power of Congress is different; everything which depends upon the Union is, in that respect, different.

But it is immaterial whether you legislate for Missouri as a state or not. The effect of your legislation is to bring it into the Union with a portion of its sovereignty taken away.

But it is a state which you are to admit. What is a state in the sense of the Constitution? It is not a state in general, but a state as you find it in the Constitution. A state generally is a body politic or independent political society of men. But the state which you are to admit must be more or less than this political entity. What must it be? Ask the Constitution. It shows what it means by a state by reference to the parties to it.

It must be such a state as Massachusetts, Virginia, and the other members of the American confederacy; a state with full sovereignty except as the Constitution restricts it.

It is said that the word "may" necessarily implies the right of prescribing the terms of admission. Those who maintain this are aware that there are no express words, such as "upon such terms and conditions as Congress shall think fit"; words which it was natural to expect to find in the Constitution if the effect contended for were meant. They put it, therefore, on the word "may" and on that alone. Give to that word all the force you please, what does it import? That Congress is not bound to admit a new state into this Union. Be it so for argument's sake. Does it follow that when you consent to admit into this Union a new state you can make it less in sovereign power than the original parties to that Union; that you can make the Union as to it what it is not as to them; that you can fashion it to your liking by compelling it to purchase admission into a Union by sacrificing a portion of that power which it is the sole purpose of the Union to maintain in all the plenitude which the Union itself does not impair? Does it follow that you can force upon it an additional compact not found in the compact of Union; that you can make it come into the Union less a state in regard to sovereign power than its fellows in that

Union; that you can cripple its legislative competency (beyond the Constitution which is the pact of Union to which you make it a party, as if it had been originally a party to it) by what you choose to call a condition, but which, whatever it may be called, brings the new government into the Union under new obligations to it, and with disparaged power to be protected by it?

In a word, the whole amount of the argument on the other side is, that you may refuse to admit a new state, and that, therefore, if you admit you may prescribe the terms. The answer to that argument is, that even if you can refuse you can prescribe no terms which are inconsistent with the act you are to do. You can prescribe no conditions which, if carried into effect, would make the new state less a sovereign state than, under the Union as it stands, it would be. You can prescribe no terms which will make the compact of Union between it and the original states essentially different from that compact among the original states. You may admit or refuse to admit; but if you admit it you must admit a state in the sense of the Constitution, a state with all such sovereignty as belongs to the original parties; and it must be into this Union that you are to admit it, not into a Union of your own dictating, formed out of the existing Union by qualifications and new compacts, altering its character and effect, and making it

fall short of its protecting energy in reference to the new state whilst it acquires an energy of another sort, the energy of restraint and destruction.

I have thus endeavored to show that even if you have a discretion to refuse to admit you have no discretion, if you are willing to admit, to insist upon any terms that impair the sovereignty of the admitted state as it would otherwise stand in the Union by the Constitution which receives it into its bosom. To admit or not is for you to decide. Admission once conceded, it follows as a corollary that you must take the new state as an equal companion with its fellows; that you cannot recast or new model the Union *pro hac vice*, but that you must receive it into the actual Union and recognize it as a parcener in the common inheritance, without any other shackles than the rest have, by the Constitution, submitted to bear, without any other extinction of power than is the work of the Constitution acting indifferently upon all.

I may be told, perhaps, that the restriction in this case is the act of Missouri itself; that your law is nothing without its consent, and derives its efficacy from that alone. I shall have a more suitable occasion to speak on this topic hereafter when I come to consider the treaty which ceded Louisiana to the United States. But I will say a few words upon it now of a more general application than it

will in that branch of the argument be necessary to use.

A territory cannot surrender to Congress, by anticipation, the whole or part of the sovereign power, which, by the Constitution of the Union, will belong to it when it becomes a state and a member of the Union. Its consent is, therefore, nothing. It is in no situation to make this surrender. It is under the government of Congress. If it can barter away a part of its sovereignty by anticipation, it can do so as to the whole. For where will you stop? If it does not cease to be a state in the sense of the Constitution, with only a certain portion of sovereign power, what other smaller portion will have that effect? If you depart from the standard of the Constitution, i.e., the quantity of domestic sovereignty left in the first contracting states, and secured by the original compact of Union, where will you get another standard? Consent is no standard; for consent may be gained to a surrender of all. No state or territory, in order to become a state, can alienate or surrender any portion of its sovereignty to the Union, or to a sister state, or to a foreign nation. It is under an incapacity to disqualify itself for all the purposes of government left to it in the Constitution, by stripping itself of attributes which arise from the natural equality of states, and which the Constitution recognizes, not only because it does not deny them,

but presumes them to remain as they exist by the law of nature and nations. Inequality in the sovereignty of states is unnatural, and repugnant to all the principles of that law. Hence we find it laid down by the text-writers on public law that "Nature has established a perfect equality of rights between independent nations," and that "whatever the quality of a free sovereign nation gives to one it gives to another." The Constitution of the United States proceeds upon the truth of this doctrine. It takes the states as it finds them, free and sovereign alike by nature. It receives from them portions of their power for the general good, and provides for the exercise of it by organized political bodies. It diminishes the individual sovereignty of each, and transfers what it subtracts to the government which it creates; it takes from all alike, and leaves them relatively to each other equal in sovereign power.

The honorable gentleman from New York has put the constitutional argument altogether upon the clause relative to admission of new states into the Union. He does not pretend that you can find the power to restrain in any extent elsewhere. It follows that it is not a particular power to impose this restriction, but a power to impose restrictions *ad libitum.* It is competent to this, because it is competent to everything. But he denies that there can be any power in man to hold in slavery

his fellow-creature, and argues, therefore, that the prohibition is no restraint at all, since it does not interfere with the sovereign powers of Missouri.

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One of the most signal errors with which the argument on the other side has abounded is this of considering the proposed restriction as if leveled at the introduction or establishment of slavery. And hence the vehement declamation, which, among other things, has imformed us that slavery originated in fraud or violence. The truth is that the restriction has no relation, real or pretended, to the right of making slaves of those who are free, or of introducing slavery where it does not already exist. It applies to those who are admitted to be already slaves, and who, with their posterity, would continue to be slaves if they should remain where they are at present, and to a place where slavery already exists by the local law. Their civil condition will not be altered by their removal from Virginia or Carolina to Missouri. They will not be more slaves than they now are. Their abode, indeed, will be different, but their bondage the same. Their numbers may possibly be augmented by the diffusion, and I think they will. But this can only happen because their hardships will be mitigated, and their comforts increased. The checks to population which exist in the older states will be diminished. The restriction,

therefore, does not prevent the establishment of slavery, either with reference to persons or place; but simply inhibits the removal from place to place (the law in each being the same) of a slave, or make his emancipation the consequence of that removal. It acts professedly merely on slavery as it exists; and thus acting, restrains its present lawful effects. That slavery, like many other human institutions, originated in fraud or violence may be conceded; but however it originated, it is established among us, and no man seeks a further establishment of it by new importations of freemen to be converted into slaves. On the contrary, all are anxious to mitigate its evils by all the means within the reach of the appropriate authority,—the domestic legislatures of the different states.

It can be nothing to the purpose of this argument, therefore, as the gentlemen themselves have shaped it, to inquire what was the origin of slavery. What is it now, and who are they that endeavor to innovate upon what it now is (the advocates of this restriction who desire change by unconstitutional means, or its opponents who desire to leave the whole matter to local regulation), are the only questions worthy of attention.

Sir, if we too closely look to the rise and progress of long sanctioned establishments and unquestioned rights, we may discover other subjects than that of slavery with which fraud

and violence may claim a fearful connection, and over which it may be our interest to throw the mantle of oblivion. What was the settlement of our ancestors in this country but an invasion of the rights of the barbarians who inhabited it? That settlement, with slight exceptions, was effected by the slaughter of those who did no more than defend their native land against the intruders of Europe, or by unequal compacts and purchases, in which feebleness and ignorance had to deal with power and cunning. The savages who once built their huts where this proud Capitol, rising from its recent ashes, exemplifies the sovereignty of the American people, were swept away by the injustice of our fathers, and their domain usurped by force, or obtained by artifices yet more criminal. Our continent was full of those aboriginal inhabitants. Where are they or their descendants? Either "with years beyond the flood," or driven back by the swelling tide of our population from the borders of the Atlantic to the deserts of the West. You follow still the miserable remnants, and make contracts with them that seal their ruin. You purchase their lands, of which they know not the value, in order that you may sell them to advantage, increase your treasure, and enlarge your empire. Yet, further, you pursue as they retire; and they must continue to retire until the Pacific shall stay their retreat and compel them to pass away as a dream.

Will you recur to those scenes of various iniquity for any other purpose than to regret and lament them? Will you pry into them with a view to shake and impair your rights of property and dominion?

But the broad denial of the sovereign right of Missouri, if it shall become a sovereign state, to recognize slavery by its laws is rested upon a variety of grounds, all of which I will examine.

It is an extraordinary fact that they who urge this denial with such ardent zeal stop short of it in their conduct. There are now slaves in Missouri whom they do not insist upon delivering from their chains. Yet, if it is incompetent to sovereign power to continue slavery in Missouri in respect of slaves who may yet be carried thither, show me the power that can continue it in respect of slaves who are there already. Missouri is out of the old limits of the Union; and beyond those limits, it is said, we can give no countenance to slavery, if we can countenance or tolerate it anywhere. It is plain that there can be no slaves beyond the Mississippi, at this moment, but in virtue of some power to make or keep them so. What sort of power was it that has made or kept them so? Sovereign power it could not be according to the honorable gentlemen from Pennsylvania and New Hampshire [Roberts, Lowrie, and Morril]; and if sovereign power is unequal to such a purpose, less than sovereign

power is yet more unequal to it. The laws of Spain and France could do nothing, the laws of the territorial government of Missouri could do nothing, towards such a result; if it be a result which no laws, in other words, no sovereignty, could accomplish. The treaty of 1803 could do no more, in this view, than the laws of France or Spain, or the territorial government of Missouri. A treaty is an act of sovereign power, taking the shape of a compact between the parties to it; and that which sovereign power cannot reach at all it cannot reach by a treaty. Those who are now held in bondage, therefore, in Missouri, and their issue, are entitled to be free if there be any truth in the doctrine of the honorable gentleman; and if the proposed restriction leaves all such in slavery, it thus discredits the very foundation on which it reposes. To be inconsistent is the fate of false principles; but this inconsistency is the more to be remarked since it cannot be referred to mere considerations of policy without admitting that such considerations may be preferred, without a crime, to what is deemed a paramount and indispensable duty.

It is here, too, that I must be permitted to observe that the honorable gentlemen have taken great pains to show that this restriction is a mere work of supererogation by the principal argument on which they rest the proof of its propriety. Missouri, it is said, can have

no power to do what the restriction would prevent. It would be void, therefore, without the restriction. Why then, I ask, is the restriction insisted upon? Restraint implies that there is something to be restrained. But the gentlemen justify the restraint by showing that there is nothing upon which it can operate! They demonstrate the wisdom and necessity of restraint by demonstrating that, with or without restraint, the subject is in the same predicament. This is to combat with a man of straw, and to put fetters upon a shadow. The gentlemen must, therefore, abandon either their doctrine or their restriction, their argument or their object; for they are directly in conflict, and reciprocally destroy each other. It is evident that they will not abandon their object; and, of course, I must believe that they hold their argument in as little real estimation as I myself do. The gentlemen can scarcely be sincere believers in their own principle. They have apprehensions, which they endeavor to conceal, that Missouri as a state will have power to continue slavery within its limits; and, if they will not be offended, I will venture to compare them, in this particular, with the duelist in Sheridan's comedy of The Rivals, who, affecting to have no fear whatever of his adversary, is, nevertheless, careful to admonish Sir Lucius to hold him fast.

Let us take it for granted, however, that they are in earnest in their doctrine, and that

it is very necessary to impose what they prove to be an unnecessary restraint. How do they support that doctrine? The honorable gentleman on the other side has told us, as a proof of his great position, that man cannot enslave his fellow-man, in which is implied that all laws upholding slavery are absolute nullities; that the nations of antiquity as well as of modern times, have concurred in laying down that position as incontrovertible. He refers us, in the first place, to the Roman law, in which he finds it laid down as a maxim: *Jure naturali omnes homines ab initio liberi nascebantur.* From the manner in which this maxim was pressed upon us, it would not readily have been conjectured that the honorable gentleman who used it had borrowed it from a slave-holding empire, and still less from a book of the Institutes of Justinian, which treats of slavery, and justifies and regulates it. Had he given us the context we should have had the modifications of which the abstract doctrine was, in the judgment of the Roman laws, susceptible. We should have had an explanation of the competency of that law to convert, whether justly or unjustly, freedom into servitude, and to maintain the right of a master to the service and obedience of his slave.

The honorable gentleman might also have gone to Greece for a similar maxim and a similar commentary, speculative and practical.

He next refers us to Magna Charta. I am

somewhat familiar with Magna Charta, and I am confident that it contains no such maxim as the honorable gentleman thinks he has discovered in it. The great charter was extorted from John and his feeble son and successor, by haughty, slave-holding barons who thought only of themselves and the commons of England, then inconsiderable, whom they wished to enlist in their efforts against the crown. There is not in it a single word which condemns civil slavery. Freemen only are the objects of its protecting care. *Nullus liber homo,* is its phraseology. The serfs, who were chained to the soil—the villeins regardant and in gross—were left as it found them. All England was then full of slaves, whose posterity would by law remain slaves as with us, except only that the issue followed the condition of the father instead of the mother. The rule was, *Partus sequitur patrem;* a rule more favorable, undoubtedly, from the very precariousness of its application, to the gradual extinction of slavery, than ours, which has been drawn from the Roman law, and is of sure and unavoidable effect. Still less has the petition of right presented to Charles I., by the long Parliament, to do with the subject of civil slavery. It looked merely, as Magna Charta had not done before it, to the freemen of England, and sought only to protect them against royal prerogative and the encroaching spirit of the Stuarts.

As to the Bill of Rights enacted by the Convention Parliament of 1688, it is almost a duplicate of the Petition of Right, and arose out of the recollection of that political tyranny from which the nation had just escaped, and the recurrence of which it was intended to prevent. It contains no abstract principles. It deals only with practical checks upon the power of the monarch and in safeguards for institutions essential to the preservation of the public liberty. That it was not designed to anathematize civil slavery may be taken for granted, since at that epoch, and long afterwards, the English government inundated its foreign plantations with slaves, and supplied other nations with them as merchandise under the sanction of solemn treaties negotiated for that purpose. And here I cannot forbear to remark that we owe it to that same government, when it stood towards us in the relation of parent to child, that involuntary servitude exists in our land, and that we are now deliberating whether the prerogative of correcting its evils belongs to the national or the state governments. In the early periods of our colonial history everything was done by the mother country to encourage the importation of slaves into North America, and the measures which were adopted by the Colonial Assemblies to prohibit it were uniformly negatived by the crown. It is not, therefore, our fault, nor the fault of our ancestors, that this calamity has

been entailed upon us; and, notwithstanding the ostentation with which the loitering abolition of the slave trade by the British Parliament has been vaunted, the principal consideration which at last reconciled it to that measure was, that by suitable care the slave population in their West India Islands, already fully stocked, might be kept up and even increased without the aid of importation. In a word, it was cold calculations of interest, and not the suggestions of humanity, or a respect for the philanthropic principles of Mr. Wilberforce, which produced their tardy abandonment of that abominable traffic.

Of the declaration of our independence, which has also been quoted in support of the perilous doctrines now urged upon us, I need not now speak at large. I have shown, on a former occasion, how idle it is to rely upon that instrument for such a purpose; and I will not fatigue you by mere repetition. The self-evident truths announced in the Declaration of Independence, are not truths at all if taken literally; and the practical conclusions contained in the same passage of that declaration prove that they were never designed to be so received.

The Articles of Confederation contain nothing on the subject; whilst the actual Constitution recognizes the legal existence of slavery by various provisions. The power of prohibiting the slave trade is involved in that of

regulating commerce; but this is coupled with an express inhibition to the exercise of it for twenty years. How, then, can that Constitution which expressly permits the importation of slaves authorize the national government to set on foot a crusade against slavery?

The clause respecting fugitive slaves is affirmative and active in its effects. It is a direct sanction and positive protection of the right of the master to the services of his slave as derived under the local laws of the states. The phraseology in which it is wrapped up still leaves the intention clear, and the words, "person held to service or labor in one state under the laws thereof," have always been interpreted to extend to the case of slaves, in the various acts of Congress which have been passed to give efficacy to the provision, and in the judicial application of those laws. So, also, in the clause prescribing the ratio of representation, the phrase, "three-fifths of all other persons," is equivalent to slaves, or it means nothing. And yet we are told that those who are acting under a Constitution which sanctions the existence of slavery in those states which choose to tolerate it, are at liberty to hold that no law can sanction its existence!

It is idle to make the rightfulness of an act the measure of sovereign power. The distinction between sovereign power and the moral right to exercise it has always been recognized. All political power may be abused, but is it to

stop where abuse may begin? The power of declaring war is a power of vast capacity for mischief, and capable of inflicting the most wide-spread desolation. But it is given to Congress without stint and without measure. Is a citizen or are the courts of justice to inquire whether that or any other law is just before they obey or execute it? And are there any degrees of injustice which will withdraw from sovereign power the capacity of making a given law?

But sovereignty is said to be deputed power. Deputed by whom? By the people, because the power is theirs. And if it be theirs, does not the restriction take it away? Examine the Constitution of the Union, and it will be seen that the people of the states are regarded as well as the states themselves. The Constitution was made by the people, and ratified by the people.

Is it fit, then, to hold that all the sovereignty of a state is in the government of the state? So much is there as the people grant; and the people can take it away, or give more, or new model what they have already granted. It is this right which the proposed restriction takes from Missouri. You give them an immortal Constitution, depending on your will, not on theirs. The people and their posterity are to be bound forever by this restriction; and upon the same principle, any other restriction may be imposed. Where, then, is their power to

change the Constitution, and to devolve new sovereignty upon the state government? You limit their sovereign capacity to do it; and when you talk of a state, you mean the people as well as the government. The people are the source of all power; you dry up that source. They are the reservoir; you take out of it what suits you.

It is said that this government is a government of deputed powers; so is every government; and what power is not deputed remains. But the people of the United States can give it more if they please, as the people of each state can do in respect to its own government. And here it is well to remember that this is a government of enumerated, as well as deputed, powers, and to examine the clause as to the admission of new states with that principle in view. Now assume that it is a part of the sovereign power of the people of Missouri to continue slavery, and to devolve that power upon its government, and then to take it away, and then to give it again. The government is their creature, the means of exercising their sovereignty; and they can vary those means at their pleasure. Independently of the Union, their power would be unlimited. By coming into the Union they part with some of it, and are thus less sovereign. Let us then see whether they part with this power.

If they have parted with this portion of sovereign power it must be under that clause of

the national Constitution which gives to Congress "power to admit new states into this Union." And it is said that this necessarily implies the authority of prescribing the conditions upon which such new states shall be admitted. This has been put into the form of a syllogism which is thus stated:

Major. Every universal proposition includes all the means, manner, and terms of the act to which it relates.

Minor. But this is a universal proposition.

Conclusion. Therefore the means, manner, and terms are involved in it.

But this syllogism is fallacious, and anything else may be proved by it by assuming one of its members which involves the conclusion. The minor is a mere postulate. Take it in this way.

Major. None but a universal proposition includes in itself the terms and conditions of the act to be done.

Minor. But this is not such a universal proposition.

Conclusion. Therefore it does not contain in itself the terms and conditions of the act.

In both cases the minor is a gratuitous postulate. But I deny that a universal proposition as to a specific act involves the terms and conditions of that act, so as to vary it, and substitute another and a very different act in its place. The proposition contained in the clause is universal in one sense only. It is particular in

another. It is universal as to the power to admit or refuse. It is particular as to the being or thing to be admitted, and the compact by which it is to be admitted. The sophistry consists in extending the universal part of the proposition in such a manner as to make out of it another universal proposition. It consists in confounding the right to produce or to refuse to produce a certain defined effect, with a right to produce a different effect by refusing otherwise to produce any effect at all. It makes the actual right the instrument of obtaining another right with which the actual right is incompatible. It makes, in a word, lawful power the instrument of unlawful usurpation. The result is kept out of sight by this mode of reasoning. The discretion to decline that result, which is called a universal proposition, is singly obtruded upon us. But in order to reason correctly you must keep in view the defined result, as well as the discretion to produce or to decline to produce it. The result is the particular part of the proposition; therefore the discretion to produce or decline it is the universal part of it. But because the last is found to be universal, it is taken for granted that the first is also universal. This is a sophism too manifest to impose.

But discarding the machinery of syllogisms as unfit for such a discussion as this, let us look at the clause with a view of interpreting it by the rules of sound logic and common sense.

The power is "to admit new states into this Union"; and it may be safely conceded that here is discretion to admit or refuse. The question is, what must we do if we do anything? What must we admit, and into what? The answer is, a state, and into this Union.

The distinction between federal rights and local rights is an idle distinction. Because the new state acquires federal rights, it is not, therefore, in this Union. The Union is a compact; and is it an equal party to that compact because it has equal federal rights? How is the Union formed? By equal contributions of power. Make one member sacrifice more than another and it becomes unequal. The compact is of two parts: the thing obtained,—federal rights; the price paid,—local sovereignty. You may disturb the balance of the Union either by diminishing the thing acquired or increasing the sacrifice paid.

What were the purposes of coming into the Union among the original states? The states were originally sovereign without limit as to foreign and domestic concerns. But being incapable of protecting themselves singly, they entered into the Union to defend themselves against foreign violence. The domestic concerns of the people were not, in general, to be acted on by it. The security of the power of managing them by domestic legislature is one of the great objects of the Union. The Union is a means, not an end. By requiring greater

sacrifices of domestic power, the end is sacrificed to the means. Suppose the surrender of all, or nearly all, the domestic powers of legislation were required; the means would there have swallowed up the end.

The argument that the compact may be enforced shows that the federal predicament is changed. The power of the Union not only acts on persons or citizens, but on the faculty of the government, and restrains it in a way which the Constitution nowhere authorizes. This new obligation takes away a right which is expressly "reserved to the people or the states," since it is nowhere granted to the government of the Union. You cannot do indirectly what you cannot do directly. It is said that this Union is competent to make compacts. Who doubts it? But can you make this compact? I insist that you cannot make it, because it is repugnant to the thing to be done. The effect of such a compact would be to produce that inequality in the Union to which the Constitution, in all its provisions, is adverse. Everything in it looks to equality among the members of the Union. Under it, you cannot produce inequality. Nor can you get beforehand of the Constitution and do it by anticipation. Wait until a state is in the Union, and you cannot do it; yet it is only upon the state in the Union that what you do begins to act.

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But it seems that, although the proposed restriction may not be justified by the clause of the Constitution which gives power to admit new states into the Union, separately considered, there are other parts of the Constitution which, combined with that clause, will warrant it. And, first, we are informed that there is a clause in this instrument which declares that Congress shall guarantee to every state a republican form of government; that slavery and such a form of government are incompatible; and, finally, as a conclusion from these premises, that Congress not only have a right, but are bound, to exclude slavery from a new state. Here again, sir, there is an edifying inconsistency between the argument and the measure which it professes to vindicate. By the argument it is maintained that Missouri cannot have a republican form of government and at the same time tolerate negro slavery. By the measure it is admitted that Missouri may tolerate slavery as to persons already in bondage there, and be nevertheless fit to be received into the Union. What sort of constitutional mandate is this which can thus be made to bend and truckle and compromise as if it were a simple rule of expediency that might admit of exceptions upon motives of countervailing expediency? There can be no such pliancy in the peremptory provisions of the Constitution. They cannot be obeyed by moieties and violated in the same ratio. They

must be followed out to their full extent, or treated with that decent neglect which has at least the merit of forbearing to render contumacy obtrusive by an ostentatious display of the very duty which we in part abandon. If the decalogue could be observed in this casuistical manner, we might be grievous sinners and yet be liable to no reproach. We might persist in all our habitual irregularities, and still be spotless. We might, for example, continue to covet our neighbors' goods, provided they were the same neighbors whose goods we had before coveted; and so of all the other commandments.

Will the gentlemen tell us that it is the quantity of slaves, not the quality of slavery, which takes from a government the republican form? Will they tell us (for they have not yet told us) that there are constitutional grounds, to say nothing of common sense, upon which the slavery which now exists in Missouri may be reconciled with a republican form of government, while any addition to the number of its slaves (the quality of slavery remaining the same) from the other states, will be repugnant to that form, and metamorphose it into some nondescript government disowned by the Constitution? They cannot have recourse to the treaty of 1803 for such a distinction, since independently of what I have before observed on that head, the gentlemen have contended that the treaty has nothing to do with the

matter. They have cut themselves off from all chance of a convenient distinction in or out of that treaty, by insisting that slavery beyond the old United States is rejected by the Constitution, and by the law of God as discoverable by the aid of either reason or revelation; and, moreover, that the treaty does not include the case, and if it did could not make it better. They have therefore completely discredited their own theory by their own practice, and left us no theory worthy of being seriously controverted. This peculiarity in reasoning of giving out a universal principle, and coupling with it a practical concession that it is wholly fallacious, has indeed run through the greater part of the arguments on the other side; but it is not, as I think, the more imposing on that account, or the less liable to the criticism which I have here bestowed upon it.

There is a remarkable inaccuracy on this branch of the subject into which the gentlemen have fallen, and to which I will give a moment's attention without laying unnecessary stress upon it. The government of a new state, as well as of an old state, must, I agree, be republican in its form. But it has not been very clearly explained what the laws which such a government may enact can have to do with its form. The form of the government is material only as it furnishes a security that those laws will protect and promote the public happiness, and be made in a republican spirit. The people being, in

such a government, the fountain of all power, and their servants being periodically responsible to them for its exercise, the Constitution of the Union takes for granted, except so far as it imposes limitations, that every such exercise will be just and salutary. The introduction or continuance of civil slavery is manifestly the mere result of the power of making laws. It does not in any degree enter into the form of the government. It presupposes that form already settled, and takes its rise not from the particular frame of the government, but from the general power which every government involves. Make the government what you will in its organization and in the distribution of its authorities, the introduction or continuance of involuntary servitude by the legislative power which it has created can have no influence on its pre-established form, whether monarchial, aristocratical, or republican. The form of government is still one thing, and the law, being a simple exertion of the ordinary faculty of legislation by those to whom that form of government has intrusted it, another. The gentlemen, however, identify an act of legislation sanctioning involuntary servitude with the form of government itself, and then assure us that the last is changed retroactively by the first, and is no longer republican!

But let us proceed to take a rapid glance at the reasons which have been assigned for this notion that involuntary servitude and a repub-

lican form of government are perfect antipathies. The gentleman from New Hampshire [Mr. Morrill] has defined a republican government to be that in which all the men participate in its power and privileges; from whence it follows that where there are slaves it can have no existence. A definition is no proof, however; and even if it be dignified, as I think it was, with the name of a maxim, the matter is not much mended. It is Lord Bacon who says "that nothing is so easily made as a maxim"; and certainly a definition is manufactured with equal facility. A political maxim is the work of induction, and cannot stand against experience, or stand on anything but experience. But this maxim, or definition, or whatever else it may be, sets fact at defiance. If you go back to antiquity you will obtain no countenance for this hypothesis, and if you look at home you will gain still less. I have read that Sparta and Rome and Athens, and many others of the ancient family, were republics. They were so in form undoubtedly, the last approaching nearer to a perfect democracy than any other government which has yet been known to the world. Judging of them also by their fruits, they were of the highest order of republics. Sparta could scarcely be any other than a republic when a Spartan matron could say to her son just marching to battle, "Return victorious, or return no more." It was the

unconquerable spirit of liberty, nurtured by republican habits and institutions, that illustrated the Pass of Thermopylæ. Yet slavery was not only tolerated in Sparta, but was established by one of the fundamental laws of Lycurgus, having for its object the encouragement of that very spirit. Attica was full of slaves, yet the love of liberty was its characteristic. What else was it that foiled the whole power of Persia at Marathon and Salamis? What other soil than that which the genial sun of republican freedom illuminated and warmed, could have produced such men as Leonidas and Miltiades, Themistocles and Epaminondas? Of Rome it would be superfluous to speak at large. It is sufficient to name the mighty mistress of the world, before Sylla gave the first stab to her liberties, and the great dictator accomplished their final ruin, to be reminded of the practicability of union between civil slavery and an ardent love of liberty cherished by republican establishments.

If we return home for instruction upon this point, we perceive that same union exemplified in many a state in which "liberty has a temple in every house, an altar in every heart," while involuntary servitude is seen in every direction. Is it denied that those states possess a republican form of government? If it is, why does our power of correction sleep? Why is the constitutional guaranty suffered to be inactive? Why am I permit-

ted to fatigue you, as the representative of a slave-holding state, with the discussion of the *nugæ canoræ* (for so I think them) that have been forced into this debate contrary to all the remonstrances of taste and prudence? Do gentlemen perceive the consequences to which their arguments must lead if they are of any value? Do they reflect that they lead to emancipation in the old United States, or to an exclusion of Delaware, Maryland, and all the South, and a great portion of the West from the Union? My honorable friend from Virginia has no business here if this disorganizing creed be anything but the production of a heated brain. The state to which I belong must "perform a lustration," must purge and purify herself from the feculence of civil slavery, and emulate the states of the North in their zeal for throwing down the gloomy idol which we are said to worship, before her senators can have any title to appear in this high assembly. It will be in vain to urge that the old United States are exceptions to the rule; or rather, as the gentlemen express it, that they have no disposition to apply the rule to them. There can be no exceptions by implication only, to such a rule; and expressions which justify the exemption of the old states by inference, will justify the like exemption of Missouri unless they point exclusively to them, as I have shown they do not. The guarded manner,

too, in which some of the gentlemen have occasionally expressed themselves on this subject is somewhat alarming. They have no disposition to meddle with slavery in the old United States. Perhaps not; but who shall answer for their successors? Who shall furnish a pledge that the principle, once ingrafted into the Constitution, will not grow, and spread, and fructify, and overshadow the whole land? It is the natural office of such a principle to wrestle with slavery wheresoever it finds it. New states, colonized by the apostles of this principle, will enable it to set on foot a fanatical crusade against all who still continue to tolerate it, although no practicable means are pointed out by which they can get rid of it consistently with their own safety. At any rate, a present forbearing disposition, in a few or in many, is not a security upon which much reliance can be placed upon a subject as to which so many selfish interests and ardent feelings are connected with the cold calculations of policy Admitting, however, that the old United States are in no danger from this principle, why is it so? There can be no other answer which these zealous enemies of slavery can use than that the Constitution recognizes slavery as existing or capable of existing in those states. The Constitution, then, admits that slavery and a republican form of government are not incongruous. It associates and binds them up

together, and repudiates this wild imagination which the gentlemen have pressed upon us with such an air of triumph. But the Constitution does more, as I have heretofore proved. It concedes that slavery may exist in a new state as well as in an old one, since the language in which it recognizes slavery comprehends new states as well as actual. I trust, then, that I shall be forgiven if I suggest that no eccentricity in argument can be more trying to human patience than a formal assertion that a Constitution to which slave-holding states were the most numerous parties, in which slaves are treated as property as well as persons, and provision is made for the security of that property, and even for an augmentation of it by a temporary importation from Africa, a clause commanding Congress to guarantee a republican form of government to those very states, as well as to others, authorizes you to determine that slavery and a republican form of government cannot co-exist.

But if a republican form of government is that in which all the men have a share in the public power, the slave-holding states will not alone retire from the Union. The constitutions of some of the other states do not sanction universal suffrage, or universal eligibility. They require citizenship, and age, and a certain amount of property, to give a title to vote or to be voted for; and they who have not

those qualifications are just as much disfranchised, with regard to the government and its power, as if they were slaves. They have civil rights indeed (and so have slaves in a less degree), but they have no share in the government. Their province is to obey the laws, not to assist in making them. All such states must therefore be forisfamiliated with Virginia and the rest, or change their system; for the Constitution, being absolutely silent on those subjects, will afford them no protection. The Union might thus be reduced from an Union to an unit. Who does not see that such conclusions flow from false notions; that the true theory of a republican government is mistaken; and that in such a government rights, political and civil, may be qualified by the fundamental law, upon such inducements as the freemen of the country deem sufficient? That civil rights may be qualified as well as political, is proved by a thousand examples. Minors, resident aliens who are in a course of naturalization; the other sex, whether maids, or wives, or widows, furnish sufficient practical proofs of this.

Again, if we are to entertain these hopeful abstractions, and to resolve all establishments into their imaginary elements in order to recast them upon some Utopian plan, and if it be true that all the men in a republican government must help to wield its power and be equal in rights,— I beg leave to ask the honorable gen-

tleman from New Hampshire, and why not all the women? They, too, are God's creatures, and not only very fair but very rational creatures; and our great ancestor, if we are to give credit to Milton, accounted them the "wisest, virtuousest, discreetest, best"; although, to say the truth, he had but one specimen from which to draw his conclusion, and possibly if he had had more would not have drawn it at all. They have, moreover, acknowledged civil rights in abundance, and upon abstract principles more than their masculine rulers allow them in fact. Some monarchies, too, do not exclude them from the throne. We have all read of Elizabeth of England, of Catherine of Russia, of Semiramis and Zenobia, and a long list of royal and imperial dames, about as good as an equal list of royal and imperial lords. Why is it that their exclusion from the power of a popular government is not destructive of its republican character? I do not address this question to the honorable gentleman's gallantry, but to his abstraction, and his theories, and his notions of the infinite perfectibility of human institutions, borrowed from Godwin and the turbulent philosophers of France. For my own part, sir, if I may have leave to say so much in the presence of this mixed uncommon audience, I confess I am no friend to female government, unless indeed it be that which reposes on gentleness and modesty and virtue and feminine grace and

delicacy; and how powerful a government that is, we have all of us, as I suspect, at some time or other experienced! But if the ultra republican doctrines which have now been broached should ever gain ground among us, I should not be surprised if some romantic reformer, treading in the footsteps of Mrs. Wollstonecraft, should propose to repeal our republican law salique, and claim for our wives and daughters a full participation in political power, and to add to it that domestic power which, in some families, as I have heard, is as absolute and unrepublican as any power can be.

I have thus far allowed the honorable gentlemen to avail themselves of their assumption that the constitutional command to guarantee to the states a republican form of government gives power to coerce those states in the adjustment of the details of their constitutions upon theoretical speculations. But surely it is passing strange that any man who thinks at all can view this salutary command as the grant of a power so monstrous, or look at it in any other light than as a protecting mandate to Congress to interpose with the force and authority of the Union against that violence and usurpation by which a member of it might otherwise be oppressed by profligate and powerful individuals, or ambitious and unprincipled factions. In a word, the resort to this portion of the Constitution for an argument in favor of the proposed restriction is one of those

extravagances (I hope I shall not offend by this expression) which may excite our admiration, but cannot call for a very rigorous refutation. I have dealt with it accordingly, and have now done with it.

We are next invited to study that clause of the Constitution which relates to the migration or importation, before the year 1808, of such persons as any of the states then existing should think proper to admit. It runs thus: "The migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation not exceeding ten dollars for each person."

It is said that this clause empowers Congress, after the year 1808, to prohibit the passage of slaves from state to state, and the word "migration" is relied upon for that purpose. I will not say that the proof of the existence of a power by a clause which, as far as it goes, denies it, is always inadmissable; but I will say that it is always feeble. On this occasion it is singularly so. The power, in an affirmative shape, cannot be found in the Constitution; or, if it can, it is equivocal and unsatisfactory. How do the gentlemen supply this deficiency? By the aid of a negative provision in an article of the Constitution in which many restrictions are inserted *ex abun-*

danti cautela, from which it is plainly impossible to infer that the power to which they apply would otherwise have existed. Thus, "No bill of attainder or *ex post facto* law shall be passed." Take away the restriction; could Congress pass a bill of attainder, the trial by jury in criminal cases being expressly secured by the Constitution? The inference, therefore, from the prohibition in question, whatever may be its meaning, to the power which it is supposed to restrain, but which you cannot lay your finger upon with any pretensions to certainty, must be a very doubtful one. But the import of the prohibition is also doubtful, as the gentlemen themselves admit. So that a doubtful power is to be made certain by a yet more doubtful negative upon power; or rather a doubtful negative, where there is no evidence of the corresponding affirmative, is to make out the affirmative, and to justify us in acting upon it in a matter of such high moment that questionable power should not dare to approach it. If the negative were perfectly clear in its import, the conclusion which has been drawn from it would be rash, because it might have proceeded, as some of the negatives in whose company it is found evidently did proceed, from great anxiety to prevent such assumptions of authority as are now attempted. But when it is conceded that the supposed import of this negative as to the term "migration," is ambiguous, and that it

may have been used in a very different sense from that which is imputed to it, the conclusion acquires a character of boldness which, however some may admire, the wise and reflecting will not fail to condemn.

In the construction of this clause the first remark that occurs is that the word "migration" is associated with the word "importation." I do not insist that *noscitur a sociis* is as good a rule in matters of interpretation as in common life, but it is nevertheless of considerable weight when the associated words are not qualified by any phrases that disturb the effect of their fellowship; and unless it announces, as in this case it does not, by specific phrases combined with the associated term, a different intention. Moreover, the ordinary unrestricted import of the word migration is what I have here supposed. A removal from district to district within the same jurisdiction is never denominated a migration of persons. I will concede to the honorable gentlemen, if they will accept the concession, that ants may be said to migrate when they go from one ant-hill to another at no great distance from it. But even then they could not be said to migrate if each ant-hill was their home in virtue of some federal compact with insects like themselves. But however this may be, it should seem to be certain that human beings do not migrate, in the sense of a Constitution, simply because they transplant themselves from one place to which

that Constitution extends to another which it equally covers.

If this word migration applied to freemen and not to slaves it would be clear that removal from state to state would not be comprehended within it. Why, then, if you choose to apply it to slaves, does it take another meaning as to the place from whence they are to come? Sir, if we once depart from the usual acceptation of this term, fortified as it is by its union with another in which there is nothing in this respect equivocal, will gentlemen please to intimate the point at which we are to stop? Migration means, as they contend, a removal from state to state, within the pale of the common government. Why not a removal also from county to county within a particular state, from plantation to plantation, from farm to farm, from hovel to hovel? Why not any exertion of the power of locomotion? I protest I do not see, if this arbitary limitation of the natural sense of the term migration be warrantable, that a person to whom it applies may not be compelled to remain immovable all the days of his life (which could not well be many) in the very spot, literally speaking, in which it was his good or his bad fortune to be born.

Whatever may be the latitude in which the word "persons" is capable of being received, it is not denied that the word "importation" indicates a bringing in from a jurisdiction foreign to the United States. The two *termini* of the

importation here spoken of are a foreign country and the American Union; the first the *terminus ad quo*, the second the *terminus ad quem*. The word migration stands in simple connection with it, and of course is left to the full influence of that connection. The natural conclusion is that the same *termini* belong to each; or, in other words, that if the importation must be abroad, so also must be the migration; no other *termini* being assigned to the one which are not manifestly characteristic of the other. This conclusion is so obvious that to repel it, the word migration requires, as an appendage, explanatory phraseology, giving to it a different beginning from that of importation. To justify the conclusion that it was intended to mean a removal from state to state, each within the sphere of the Constitution in which it is used, the addition of the words, from one to another state in this Union, were indispensable. By the omission of these words, the word "migration" is compelled to take every sense of which it is fairly susceptible from its immediate neighbor, "importation." In this view it means a coming, as "importation" means a bringing, from a foreign jurisdiction into the United States. That it is susceptible of this meaning nobody doubts. I go further. It can have no other meaning in the place in which it is found. It is found in the Constitution of this Union; which, when it speaks of

migration as of a general concern, must be supposed to have in view a migration into the domain which itself embraces as a general government. Migration, then, even if it comprehends slaves, does not mean the removal of them from state to state, but means the coming of slaves from places beyond their limits and their power. And if this be so, the gentlemen gain nothing for their argument by showing that slaves were the objects of this term.

An honorable gentleman from Rhode Island [Mr. Burrill], whose speech was distinguished for its ability, and for an admirable force of reasoning, as well as by the moderation and mildness of its spirit, informed us, with less discretion than in general he exhibited, that the word "migration" was introduced into this clause at the instance of some of the Southern states, who wished by its instrumentality to guard against a prohibition by Congress of the passage into those states of slaves from other states. He has given us no authority for this supposition, and it is, therefore, a gratituous one. How improbable it is, a moment's reflection will convince him. The African slave-trade being open during the whole of the time to which the entire clause in question referred, such a purpose could scarcely be entertained; but if it had been entertained, and there was believed to be a necessity for securing it by a restriction upon the power of Congress to

interfere with it, is it possible that they who deemed it important would have contented themselves with a vague restraint, which was calculated to operate in almost any other manner than that which they desired? If fear and jealousy, such as the honorable gentleman has described, had dictated this provision, a better term than that of "migration," simple and unqualified, and joined, too, with the word "importation," would have been found to tranquilize those fears and satisfy that jealousy. Fear and jealousy are watchful, and are rarely seen to accept a security short of their object, and less rarely to shape that security, of their own accord, in such a way as to make it no security at all. They always seek an explicit guaranty; and that this is not such a guaranty this debate has proved, if it has proved nothing else.

Wendell Phillips

(1811–1884)

ON THE PHILOSOPHY OF THE ABOLITION MOVEMENT

[Delivered before the Massachusetts Antislavery Society, Boston, January 27, 1853.]

MR. CHAIRMAN:

I HAVE to present, from the Business Committee, the following resolution: —

"*Resolved*, that the object of this society is now, as it has always been, to convince our countrymen, by arguments addressed to their hearts and consciences, that slave-holding is a heinous crime, and that the duty, safety, and interest of all concerned demand its immediate abolition, without expatriation."

I wish, Mr. Chairman, to notice some objections that have been made to our course ever since Mr. Garrison began his career, and which have been lately urged again, with considerable force and emphasis, in the columns of the London Leader, the able organ of a very respectable and influential class in England. I hope, sir, you will not think it waste of time to bring such a subject before you. I know these objections have been made a thousand times, that they have been often answered,

though we generally submitted to them in silence, willing to let results speak for us. But there are times when justice to the slave will not allow us to be silent. There are many in this country, many in England, who have had their attention turned recently to the anti-slavery cause. They are asking, "Which is the best and most efficient method of helping it?" Engaged ourselves in an effort for the slave, which time has tested and success hitherto approved, we are very properly desirous that they should join us in our labors, and pour into this channel the full tide of their new zeal and great resources. Thoroughly convinced ourselves that our course is wise, we can honestly urge others to adopt it. Long experience gives us a right to advise. The fact that our course, more than all other efforts, has caused that agitation which has awakened these new converts, gives us a right to counsel them. They are our spiritual children; for their sakes we would free the cause we love and trust from every seeming defect and plausible objection. For the slave's sake, we reiterate our explanations, that he may loose no tittle of help by the mistakes or misconceptions of his friends.

All that I have to say on these points will be to you, Mr. Chairman, very trite and familiar; but the facts may be new to some, and I prefer to state them here, in Boston, where we have lived and worked, because, if our

statements are incorrect, if we claim too much, our assertions can be easily answered and disproved. The charges to which I refer are these: that, in dealing with slave-holders and their apologists, we indulge in fierce denunciations, instead of appealing to their reason and common sense by plain statements and fair argument; that we might have won the sympathy and support of the nation if we would have submitted to argue this question with a manly patience; but, instead of this, we have outraged the feelings of the community by attacks, unjust and unnecessarily severe, on its most valued institutions, and gratified our spleen by indiscriminate abuse of leading men, who were often honest in their intentions, however mistaken in their views; that we have utterly neglected the ample means that lay around us to convert the nation, submitted to no discipline, formed no plan, been guided by no foresight, but hurried on in childish, reckless, blind, and hot-headed zeal, — bigots in the narrowness of our views, and fanatics in our blind fury of invective and malignant judgment of other men's motives.

There are some who come upon our platform and give us the aid of names and reputations less burdened than ours with popular odium, who are perpetually urging us to exercise charity in our judgments of those about us, and to consent to argue these questions. These men are ever parading their wish to draw a line

between themselves and us, because *they must be permitted* to wait, to trust more to reason than feeling, to indulge a generous charity, to rely on the sure influence of simple truth, uttered in love, etc., etc. I reject with scorn all these implications that *our* judgments are uncharitable; that *we* are lacking in patience; that *we* have any other dependence than on the simple truth, spoken with Christian frankness, yet with Christian love. These lectures to which you, sir, and all of us have so often listened would be impertinent if they were not rather ridiculous for the gross ignorance they betray of the community, of the cause, and of the whole course of its friends.

The article in the Leader to which I refer is signed "Ion," and may be found in the Liberator of December 17, 1852. The writer is cordial and generous in his recognition of Mr. Garrison's claim to be the representative of the antislavery movement, and does entire justice to his motives and character. The criticisms of "Ion" were reprinted in the Christian Register, of this city, the organ of the Unitarian denomination. The editors of that paper, with their usual Christian courtesy, love of truth, and fair dealing, omitted all "Ion's" expressions of regard for Mr. Garrison, and appreciation of his motives, and reprinted only those parts of the article which undervalue his sagacity and influence, and indorse the common objections to his method

and views. You will see in a moment, Mr. President, that it is with such men and presses "Ion" thinks Mr. Garrison has not been sufficiently wise and patient in trying to win their help for the antislavery cause. Perhaps were he on the spot, it would tire even his patience and puzzle even his sagacity to make any other use of them than that of the drunken Helot,—a warning to others how disgusting is mean vice. Perhaps were he here he would see that the best and only use to be made of them is to let them unfold their own characters, and then show the world how rotten our politics and religion are, that they naturally bear such fruit. "Ion" quotes Mr. Garrison's original declaration in the Liberator:—

"I am aware that many object to the severity of my language; but is there not cause for severity? I *will* be as harsh as truth, and as uncompromising as justice. I am in earnest; I will not equivocate; I will not excuse; I will not retreat a single inch; *and I will be heard.*

"It is *pretended* that I am retarding the cause of emancipation by the coarseness of my invective and the precipitancy of my measures. *The charge is not true.* On this question my influence, humble as it is, is felt at this moment to a considerable extent, and shall be felt in coming years; not perniciously, but beneficially; not as a curse, but as a blessing; and posterity will bear testimony that I was right. I desire to thank God that he enables me to disregard 'the fear of man, which bringeth a snare,' and to speak his truth in its simplicity and power."

"Ion's" charges are the old ones, that we abolitionists are hurting our own cause; that

instead of waiting for the community to come up to our views, and endeavoring to remove prejudice and enlighten ignorance by patient explanation and fair argument, we fall at once, like children, to abusing everything and everybody; that we imagine zeal will supply the place of common sense; that we have never shown any sagacity in adapting our means to our ends; have never studied the national character, or attempted to make use of the materials which lay all about us to influence public opinion, but by blind, childish, obstinate fury and indiscriminate denunciation have become "honestly impotent, and conscientious hindrances."

These, sir, are the charges which have uniformly been brought against all reformers in all ages. "Ion" thinks the same faults are chargeable on the leaders of all the "popular movements" in England, which, he says, "are led by heroes who *fear* nothing and who *win* nothing." If the leaders of popular movements in Great Britain for the last fifty years have been *losers*, I should be curious to know what party, in "Ion's" opinion, have won? My Lord Derby and his friends seem to think democracy has made, and is making, dangerous headway. If the men who, by popular agitation, outside of Parliament, wrung from a powerful oligarchy parliamentary reform, and the abolition of the test acts, of high post rates, of Catholic disability, of negro slavery, and the corn laws, did "not win anything,"

it would be hard to say what winning is. If the men who, without the ballot, made Peel their tool and conquered the Duke of Wellington are considered unsuccessful, pray what kind of a thing would success be? Those who now, at the head of that same middle class, demand the separation of Church and State, and the extension of the ballot, may well guess, from the fluttering of Whig and Tory dove-cotes, that soon they will "win" that same "nothing." Heaven grant they may enjoy the same ill success with their predecessors! On our side of the ocean, too, we ought deeply to sympathize with the leaders of the temperance movement in their entire want of success! If "Ion's" mistakes about the antislavery cause lay as much on the surface as those I have just noticed, it would be hardly worth while to reply to him; for, as to these, he certainly exhibits only "the extent and variety of his misinformation."

His remarks upon the antislavery movement are, however, equally inaccurate. I claim, before you who know the true state of the case, —I claim for the antislavery movement with which this society is identified, that, looking back over its whole course, and considering the men connected with it in the mass, it has been marked by sound judgment, unerring foresight, the most sagacious adaptation of means to ends, the strictest self-discipline, the most thorough research, and an amount of

patient and manly argument addressed to the conscience and intellect of the nation, such as no other cause of the kind, in England or this country, has ever offered. I claim, also, that its course has been marked by a cheerful surrender of all individual claims to merit or leadership, the most cordial welcoming of the slightest effort, of every honest attempt, to lighten or to break the chain of the slave. I need not waste time by repeating the superfluous confession that we are men, and therefore do not claim to be perfect. Neither would I be understood as denying that we use denunciation and ridicule and every other weapon that the human mind knows. We must plead guilty if there be guilt in not knowing how to separate the sin from the sinner. With all the fondness for abstractions attributed to us, we are not yet capable of that. We are fighting a momentous battle at desperate odds,—one against a thousand. Every weapon that ability or ignorance, wit, wealth, prejudice, or fashion, can command is pointed against us. The guns are shotted to their lips. The arrows are poisoned. Fighting against such an array, we cannot afford to confine ourselves to any one weapon. The cause is not ours, so that we might rightfully postpone or put in peril the victory by moderating our demands, stifling our convictions, or filing down our rebukes, to gratify any sickly taste of our own, or to spare the delicate nerves of our neighbor. Our cli-

ents are three millions of Christian slaves, standing dumb suppliants at the threshold of the Christian world. They have no voice but ours to utter their complaints, or to demand justice. The press, the pulpit, the wealth, the literature, the prejudices, the political arrangements, the present self-interest of the country, are all against us. God has given us no weapon but the truth, faithfully uttered, and addressed, with the old prophets' directness, to the conscience of the individual sinner. The elements which control public opinion and mould the masses are against us. We can pick off here and there a man from the triumphant majority. We have facts for those who think, arguments for those who reason; but he who cannot be reasoned out of his prejudices must be laughed out of them; he who cannot be argued out of his selfishness must be shamed out of it by the mirror of his hateful self held up relentlessly before his eyes. We live in a land where every man makes broad his phylactery, inscribing thereon, "All men are created equal," "God hath made of one blood all nations of men." It seems to us that in such a land there must be, on this question of slavery, sluggards to be awakened, as well as doubters to be convinced,—many more, we verily believe, of the first than of the last. There are far more dead hearts to be quickened than confused intellects to be cleared up; more dumb dogs to be made to speak than doubting

consciences to be enlightened. We have use, then, sometimes, for something beside argument.

What is the denunciation with which we are charged? It is endeavoring, in our faltering human speech, to declare the enormity of the sin of making merchandise of men, of separating husband and wife; taking the infant from its mother, and selling the daughter to prostitution; of a professedly Christian nation denying, by statute, the Bible to every sixth man and woman of its population, and making it illegal for "two or three" to meet together, except a white man be present! What is this harsh criticism of motives with which we are charged? It is simply holding the intelligent and deliberate actor responsible for the character and consequences of his acts. Is there anything inherently wrong in such denunciation or such criticism? This we may claim: we have never judged a man but out of his own mouth. We have seldom, if ever, held him to account except for acts of which he and his own friends were proud. All that we ask the world and thoughtful men to note are the principles and deeds on which the American pulpit and American public plume themselves. We always allow our opponents to paint their own pictures. Our humble duty is to stand by and assure the spectators that what they would take for a knave or a hypocrite is really, in American

estimation, a Doctor of Divinity or Secretary of State.

The South is one great brothel, where half a million of women are flogged to prostitution, or, worse still, are degraded to believe it honorable. The public squares of half our great cities echo to the wail of families torn asunder at the auction-block; no one of our fair rivers that has not closed over the negro seeking in death a refuge from a life too wretched to bear; thousands of fugitives skulk along our highways, afraid to tell their names, and trembling at the sight of a human being; free men are kidnapped in our streets, to be plunged into that hell of slavery; and now and then one, as if by miracle, after long years, returns to make men aghast with his tale. The press says, "It is all right"; and the pulpit cries, "Amen." They print the Bible in every tongue in which man utters his prayers; and get the money to do so by agreeing never to give the book, in the language our mothers taught us, to any negro, free or bond, south of Mason and Dixon's line. The press says, "It is all right"; and the pulpit cries, "Amen." The slave lifts up his imploring eyes, and sees in every face but ours the face of an enemy. Prove to me now that harsh rebuke, indignant denunciation, scathing sarcasm, and pitiless ridicule are wholly and always unjustifiable; else we dare not, in so desperate a case, throw away any weapon which ever broke up the

crust of an ignorant prejudice, roused a slumbering conscience, shamed a proud sinner, or changed, in any way, the conduct of a human being. Our aim is to alter public opinion. Did we live in a market, our talk should be of dollars and cents, and we would seek to prove only that slavery was an unprofitable investment. Were the nation one great, pure church, we would sit down and reason of "righteousness, temperance, and judgment to come." Had slavery fortified itself in a college, we would load our cannons with cold facts, and wing our arrows with arguments. But we happen to live in the world,—the world made up of thought and impulse, of self-conceit and self-interest, of weak men and wicked. To conquer, we must reach all. Our object is not to make every man a Christian or a philosopher, but to induce every one to aid in the abolition of slavery. We expect to accomplish our object long before the nation is made over into saints or elevated into philosophers. To change public opinion, we use the very tools by which it was formed; that is, all such as an honest man may touch.

All this I am not only ready to allow, but I should be ashamed to think of the slave, or to look into the face of my fellow-man, if it were otherwise. It is the only thing which justifies us to our own consciences, and makes us able to say we have done, or at least tried to do, our duty.

So far, however you distrust my philosophy, you will not doubt my statements. That we have denounced and rebuked with unsparing fidelity will not be denied. Have we not also addressed ourselves to that other duty, of arguing our question thoroughly, of using due discretion and fair sagacity in endeavoring to promote our cause? Yes, we have. Every statement we have made has been doubted. Every principle we have laid down has been denied by overwhelming majorities against us. No one step has ever been gained but by the most laborious research and the most exhausting argument. And no question has ever, since Revolutionary days, been so thoroughly investigated or argued here as that of slavery. Of that research and that argument, of the whole of it, the old-fashioned, fanatical, crazy Garrisonian antislavery movement has been the author. From this band of men has proceeded every important argument or idea which has been broached on the antislavery question from 1830 to the present time. I am well aware of the extent of the claim I make. I recognize as fully as any one can the ability of the new laborers; the eloquence and genius with which they have recommended this cause to the nation, and flashed conviction home on the conscience of the community. I do not mean, either, to assert that they have in every instance borrowed from our treasury their facts and arguments. Left to

themselves, they would probably have looked up the one and originated the other. As a matter of fact, however, they have generally made use of the materials collected to their hands. But there are some persons about us, sympathizers to a great extent with "Ion," who pretend that the antislavery movement has been hitherto mere fanaticism, its only weapon angry abuse. They are obliged to assert this in order to justify their past indifference or hostility. At present, when it suits their purpose to give it some attention, they endeavor to explain the change by alleging that now it has been taken up by men of thoughtful minds, and its claims are urged by fair discussion and able argument. My claim, then, is this: that neither the character of the most timid of sects, the sagacity of our wisest converts, nor the culture of the ripest scholars, though all have been aided by our twenty years, experience, has yet struck out any new method of reaching the public mind, or originated any new argument or train of thought, or discovered any new facts bearing on the question. When once brought fully into the struggle, they have found it necessary to adopt the same means, to rely on the same arguments, to hold up the same men and the same measures to public reprobation, with the same bold rebuke and unsparing invective that we have used. All their conciliatory bearing, their painstaking moderation, their

constant and anxious endeavor to draw a broad line between their camp and ours, have been thrown away. Just so far as they have been effective laborers, they have found, as we have, their hands against every man, and every man's hand against them. The most experienced of them are ready to acknowledge that our plan has been wise, our course efficient, and that our unpopularity is no fault of ours, but flows necessarily and unavoidably from our position. "I should suspect," says old Fuller, "that his preaching had no salt in it if no galled horse did wince." Our friends find, after all, that men do not so much hate us as the truth we utter and the light we bring. They find that the community are not the honest seekers after truth which they fancied, but selfish politicians and sectarian bigots, who shiver, like Alexander's butler, whenever the sun shines on them. Experience has driven these new laborers back to our method. We have no quarrel with them, would not steal one wreath of their laurels. All we claim is, that, if they are to be complimented as prudent, moderate, Christian, sagacious, statesmanlike reformers, we deserve the same praise; for they have done nothing that we, in our measure, did not attempt before.

I claim this, that the cause, in its recent aspect, has put on nothing but timidity. It has taken to itself no new weapons of recent years; it has become more compromising,—that is all!

It has become neither more persuasive, more learned, more Christian, more charitable, nor more effective than for the twenty years preceding. Mr. Hale, the head of the Free Soil movement, after a career in the Senate that would do honor to any man,—after a six years' course which entitles him to the respect and confidence of the antislavery public, can put his name, within the last month, to an appeal from the city of Washington, signed by a Houston and a Cass, for a monument to be raised to Henry Clay! If that be the test of charity and courtesy, we cannot give it to the world. Some of the leaders of the Free Soil party of Massachusetts, after exhausting the whole capacity of our language to paint the treachery of Daniel Webster to the cause of liberty, and the evil they thought he was able and seeking to do, — after that, could feel it in their hearts to parade themselves in the funeral procession got up to do him honor! In this we allow we cannot follow them. The deference which every gentleman owes to the proprieties of social life, that self-respect and regard to consistency which is every man's duty — these, if no deeper feelings, will ever prevent us from giving such proofs of this newly-invented Christian courtesy. We do not *play* politics; antislavery is no half-jest with us; it is a terrible earnest, with life or death, worse than life or death, on the issue. It is no lawsuit, where it mat-

ters not to the good feeling of opposing counsel which way the verdict goes, and where advocates can shake hands after the decision as pleasantly as before. When we think of such a man as Henry Clay, his long life, his mighty influence cast always into the scale against the slave, of that irresistible fascination with which he moulded every one to his will; when we remember that, his conscience acknowledging the justice of our cause, and his heart open on every other side to the gentlest impulses, he could sacrifice so remorselessly his convictions and the welfare of millions to his low ambition; when we think how the slave trembled at the sound of his voice, and that from a multitude of breaking hearts there went up nothing but gratitude to God when it pleased him to call that great sinner from this world,— we cannot find it in our hearts, we could not shape our lips, to ask *any man* to do him honor. No amount of eloquence, no sheen of official position, no loud grief of partisan friends, would ever lead us to ask monuments or walk in fine processions for pirates; and the sectarian zeal or selfish ambition which gives up, deliberately and in full knowledge of the facts, three millions of human beings to hopeless ignorance, daily robbery, systematic prostitution, and murder, which the law is neither able nor undertakes to prevent or avenge, is more monstrous, in our eyes, than the love of gold which takes a score of

lives with merciful quickness on the high seas. Haynau on the Danube is no more hateful to us than Haynau on the Potomac. Why give mobs to one and monuments to the other?

If these things be necessary to courtesy, I cannot claim that we are courteous. We seek only to be honest men, and speak the same of the dead as of the living. If the grave that hides their bodies could swallow also the evil they have done and the example they leave, we might enjoy at least the luxury of forgetting them. But the evil that men do lives after them, and example acquires tenfold authority when it speaks from the grave. History, also, is to be written. How shall a feeble minority, without weight or influence in the country, with no jury of millions to appeal to,—denounced, vilified, and contemned,—how shall we make way against the overwhelming weight of some colossal reputation if we do not turn from the idolatrous present, and appeal to the human race, saying to your idols of to-day, "Here we are defeated; but we will write our judgment with the iron pen of a century to come, and it shall never be forgotten, if we can help it, that you were false in your generation to the claims of the slave"?

At present, our leading men, strong in the support of large majorities, and counting safely on the prejudices of the community, can afford to despise us. They know they can over-awe or cajole the present; their only fear

is the judgment of the future,— strange fear, perhaps, considering how short and local their fame. But however little, it is their all. Our only hold upon them is the thought of that bar of posterity before which we are all to stand. Thank God, there is the elder brother of the Saxon race across the water, there is the army of honest men to come! Before that jury we summon you. We are weak here, out-talked, out-voted. You load our names with infamy, and shout us down. But our words bide their time. We warn the living that we have terrible memories, and that their sins are never to be forgotten. We will gibbet the name of every apostate so black and high that his children's children shall blush to bear it. Yet we bear no malice, cherish no resentment. We thank God that the love of fame, "that last infirmity of noble minds," is shared by the ignoble. In our necessity, we seize this weapon in the slave's behalf, and teach caution to the living by meting out relentless justice to the dead. How strange the change death produces in the way a man is talked about here! While leading men live, they avoid as much as possible all mention of slavery, from fear of being thought abolitionists. The moment they are dead, their friends rake up every word they ever contrived to whisper in a corner for liberty, and parade it before the world; growing angry, all the while, with us, because we insist on explaining these

chance expressions by the tenor of a long and base life. While drunk with the temptations of the present hour, men are willing to bow to any Moloch. When their friends bury them, they feel what bitter mockery, fifty years hence, any epitaph will be, if it cannot record of one living in this era some service rendered to the slave! These, Mr. Chairman, are the reasons why we take care that "the memory of the wicked shall rot."

I have claimed that the antislavery cause has, from the first, been ably and dispassionately argued, every objection candidly examined, and every difficulty or doubt, anywhere honestly entertained, treated with respect. Let me glance at the literature of the cause, and try not so much, in a brief hour, to prove this assertion as to point out the sources from which any one may satisfy himself of its truth.

I will begin with certainly the ablest and perhaps the most honest statesman who has ever touched the slave question. Any one who will examine John Quincy Adams's speech on Texas, in 1838 will see that he was only seconding the full and able exposure of the Texas plot prepared by Benjamin Lundy, to one of whose pamphlets Dr. Channing, in his "Letter to Henry Clay," has confessed his obligation. Every one acquainted with those years will allow that the North owes its earliest knowledge and first awakening on that subject to Mr. Lundy, who made long journeys and

devoted years to the investigation. His labors have this attestation, that they have quickened the zeal and strengthened the hands of such men as Adams and Channing. I have been told that Mr. Lundy prepared a brief for Mr. Adams, and furnished him the materials for his speech on Texas.

Look next at the right of petition. Long before any member of Congress had opened his mouth in its defense, the abolition presses and lecturers had examined and defended the limits of this right with profound historical research and eminent constitutional ability. So thoroughly had the work been done, that all classes of the people had made up their minds about it long before any speaker of eminence had touched it in Congress. The politicians were little aware of this. When Mr. Adams threw himself so gallantly into the breach, it is said he wrote anxiously home to know whether he would be supported in Massachusetts, little aware of the outburst of popular gratitude which the Northern breeze was even then bringing him, deep and cordial enough to wipe away the old grudge Massachusetts had borne him so long. Mr. Adams himself was only in favor of receiving the petitions, and advised to refuse their prayer, which was the abolition of slavery in the District. He doubted the power of Congress to abolish. His doubts were examined by Mr. William Goodell, in two letters of most acute logic and of masterly

ability. If Mr. Adams still retained his doubts, it is certain, at least, that he never expressed them afterward. When Mr. Clay paraded the same objections, the whole question of the power of Congress over the District was treated by Theodore D. Weld in the fullest manner and with the widest research,—indeed, leaving nothing to be added; an argument which Dr. Channing characterized as "demonstration," and pronounced the essay "one of the ablest pamphlets from the American press." No answer was ever attempted. The best proof of its ability is, that no one since has presumed to doubt the power. Lawyers and statesmen have tacitly settled down into its full acknowledgment.

The influence of the Colonization Society on the welfare of the colored race was the first question our movement encountered. To the close logic, eloquent appeals, and fully sustained charges of Mr. Garrison's letters on that subject no anwer was ever made. Judge Jay followed with a work full and able, establishing every charge by the most patient investigation of facts. It is not too much to say of these two volumes, that they left the Colonization Society hopeless at the North. It dares never show its face before the people, and only lingers in some few nooks of sectarian pride, so secluded from the influence of present ideas as to be almost fossil in their character.

The practical working of the slave system, the slave laws, the treatment of slaves, their food, the duration of their lives, their ignorance and moral condition, and the influence of Southern public opinion on their fate, have been spread out in detail and with a fullness of evidence which no subject has ever received before in this country. Witness the works of Phelps, Bourne, Rankin, Grimke, the "Anti-slavery Record," and, above all, that encyclopædia of facts and storehouse of arguments, the "Thousand Witnesses" of Mr. Theodore D. Weld. He also prepared that full and valuable tract for the World's Convention, called "Slavery and the Internal Slave-trade in the United States," published in London, 1841. Unique in antislavery literature is Mrs. Child's "Appeal," one of the ablest of our weapons, and one of the finest efforts of her rare genius.

The Princeton Review, I believe, first challenged the abolitionists to an investigation of the teachings of the Bible on slavery. That field had been somewhat broken by our English predecessors. But in England the pro-slavery party had been soon shamed out of the attempt to drag the Bible into their service, and hence the discussion there had been short and somewhat superficial. The pro-slavery side of the question has been eagerly sustained by theological reviews and doctors of divinity without number, from the half-way and timid faltering

of Wayland up to the unblushing and melancholy recklessness of Stuart. The argument on the other side has come wholly from the abolitionists; for neither Dr. Hague nor Dr. Barnes can be said to have added anything to the wide research, critical acumen, and comprehensive views of Theodore D. Weld, Beriah Green, J. G. Fee, and the old work of Duncan.

On the constitutional questions which have at various times arisen, — the citizenship of the colored man, the soundness of the "Prigg" decision, the constitutionality of the old fugitive slave law, the true construction of the slave-surrender clause, — nothing has been added, either in the way of fact or argument, to the works of Jay, Weld, Alvan Stewart, E. G. Loring, S. E. Sewall, Richard Hildreth, W. I. Bowditch, the masterly essays of the Emancipator at New York and the Liberator at Boston, and the various addresses of the Massachusetts and American societies for the last twenty years. The idea of the antislavery character of the Constitution — the opiate with which Free Soil quiets its conscience for voting under a pro-slavery government — I heard first suggested by Mr. Garrison in 1838. It was elaborately argued that year in all our antislavery gatherings, both here and in New York, and sustained with great ability by Alvan Stewart, and in part by T. D. Weld. The antislavery construction of the Constitution

was ably argued in 1836, in the Antislavery Magazine, by Rev. Samuel J. May, one of the very first to seek the side of Mr. Garrison, and pledge to the slave his life and efforts,—a pledge which thirty years of devoted labors have nobly redeemed. If it has either merit or truth, they are due to no legal learning recently added to our ranks, but to some of the old and well-known pioneers. This claim has since received the fullest investigation from Mr. Lysander Spooner, who has urged it with all his unrivaled ingenuity, laborious research, and close logic. He writes as a lawyer, and has no wish, I believe, to be ranked with any class of antislavery men.

The influence of slavery on our government has received the profoundest philosophical investigation from the pen of Richard Hildreth, in his invaluable essay on "Despotism in America," a work which deserves a place by the side of the ablest political disquisitions of any age.

Mrs. Chapman's survey of "Ten Years of Antislavery Experience" was the first attempt at a philosophical discussion of the various aspects of the antislavery cause, and the problems raised by its struggles with sect and party. You, Mr. Chairman [Edmund Quincy, Esq.], in the elaborate Reports of the Massachusetts Antislavery Society for the last ten years, have followed in the same path, making to American literature a contribution of the

highest value, and in a department where you have few rivals and no superior. Whoever shall write the history either of this movement, or any other attempted under a republican government, will find nowhere else so clear an insight and so full an acquaintance with the most difficult part of his subject.

Even the vigorous mind of Rantoul, the ablest man, without doubt, of the Democratic party, and perhaps the ripest politician in New England, added little or nothing to the storehouse of antislavery argument. The grasp of his intellect and the fullness of his learning every one will acknowledge. He never trusted himself to speak on any subject till he had dug down to its primal granite. He laid a most generous contribution on the altar of the antislavery cause. His speeches on our question, too short and too few, are remarkable for their compact statement, iron logic, bold denunciation, and the wonderful light thrown back upon our history. Yet how little do they present which was not familiar for years in our antislavery meetings!

Look, too, at the last great effort of the idol of so many thousands, Mr. Senator Sumner,—the discussion of a great national question, of which it has been said that we must go back to Webster's Reply to Hayne, and Fisher Ames on the Jay Treaty, to find its equal in Congress,—praise which we might, perhaps, qualify if any adequate report were

left us of some of the noble orations of Adams. No one can be blind to the skillful use he has made of his materials, the consummate ability with which he has marshaled them, and the radiant glow which his genius has thrown over all. Yet, with the exception of his reference to the antislavery debate in Congress, in 1817, there is hardly a train of thought or argument, and no single fact, in the whole speech which has not been familiar in our meetings and essays for the last ten years.

Before leaving the halls of Congress, I have great pleasure in recognizing one exception to my remarks, Mr. Giddings. Perhaps he is no real exception, since it would not be difficult to establish his claim to be considered one of the original Abolition party. But whether he would choose to be so considered or not, it is certainly true that his long presence at the seat of government, his whole-souled devotedness, his sagacity and unwearied industry, have made him a large contributor to our antislavery resources.

The relations of the American Church to slavery, and the duties of private Christians,—the whole casuistry of this portion of the question, so momentous among the descendants of the Puritans,—have been discussed with great acuteness and rare common sense by Messrs. Garrison, Goodell, Gerritt Smith, Pillsbury, and Foster. They have never attempted to judge the American church by

any standard except that which she has herself laid down, never claimed that she should be perfect, but have contented themselves by demanding that she should be consistent. They have never judged her except out of her own mouth, and on facts asserted by her own presses and leaders. The sundering of the Methodist and Baptist denominations, and the universal agitation of the religious world, are the best proof of the sagacity with which their measures have been chosen, the cogent arguments they have used, and the indisputable facts on which their criticisms have been founded.

In nothing have the abolitionists shown more sagacity or more thorough knowledge of their countrymen than in the course they have pursued in relation to the Church. None but a New Englander can appreciate the power which church organizations wield over all who share the blood of the Puritans. The influence of each sect over its own members is overwhelming, often shutting out, or controlling, other influences. We have popes here, all the more dangerous because no triple crown puts you on your guard. The Methodist priesthood brings the Catholic very vividly to mind. That each local church is independent of all others, we have been somewhat careful to assert, in theory and practice. The individual's independence of all organizations which place themselves between him and his God, some

few bold minds have asserted in theory, but most, even of these, have stopped there.

In such a land, the abolitionists early saw that, for a moral question like theirs, only two paths lay open: to work through the Church; that failing, to join battle with it. Some tried long, like Luther, to be Protestants, and yet not come out of Catholicism; but their eyes were soon opened. Since then we have been convinced that, to come out from the Church, to hold her up as the bulwark of slavery, and to make her shortcomings the main burden of our appeals to the religious sentiment of the community, was our first duty and best policy. This course alienated many friends, and was a subject of frequent rebuke from such men as Dr. Channing. But nothing has ever more strengthened the cause, or won it more influence; and it has had the healthiest effect on the Church itself. British Christians have always sanctioned it, whenever the case has been fairly presented to them. Mr. John Quincy Adams, a man far better acquainted with his own times than Dr. Channing, recognized the soundness of our policy. I do not know that he ever uttered a word in public on the delinquency of the churches; but he is said to have assured his son, at the time the Methodist Church broke asunder, that other men might be more startled by the *éclat* of political success, but nothing, in his opinion, promised more good, or showed more clearly

the real strength of the antislavery movement, than that momentous event.

In 1838 the British emancipation in the West Indies opened a rich field for observation, and a full harvest of important facts. The abolitionists, not willing to wait for the official reports of the government, sent special agents through those islands, whose reports they scattered, at great expense and by great exertion, broadcast through the land. This was at a time when no newspaper in the country would either lend or sell them the aid of its columns to enlighten the nation on an experiment so vitally important to us. And even now, hardly a press in the country cares or dares to bestow a line or communicate a fact toward the history of that remarkable revolution. The columns of the Antislavery Standard, Pennsylvania Freeman, and Ohio Bugle have been for years full of all that a thorough and patient advocacy of our cause demands. And the eloquent lips of many whom I see around me, and whom I need not name here, have done their share toward pressing all these topics on public attention. There is hardly any record of these labors of the living voice. Indeed, from the nature of the case, there cannot be any adequate one. Yet, unable to command a wide circulation for our books and journals, we have been obliged to bring ourselves into close contact with the people, and to rely mainly on public addresses.

These have been our most efficient instrumentality. For proof that these addresses have been full of pertinent facts, sound sense, and able arguments, we must necessarily point to results, and demand to be tried by our fruits. Within these last twenty years it has been very rare that any fact stated by your lecturers has been disproved, or any statement of theirs successfully impeached. And for evidence of the soundness, simplicity, and pertinency of their arguments we can only claim that our converts and co-laborers throughout the land have at least the reputation of being specially able "to give a reason for the faith that is in them."

I remember that when, in 1845, the present leaders of the Free Soil party, with Daniel Webster in their company, met to draw up the Anti-Texas address of the Massachusetts convention, they sent to abolitionists for anti-slavery facts and history, for the remarkable testimonies of our Revolutionary great men which they wished to quote. When, many years ago, the legislature of Massachusetts wished to send to Congress a resolution affirming the duty of immediate emancipation, the committee sent to William Lloyd Garrison to draw it up, and it stands now on our statute-book as he drafted it.

How vigilantly, how patiently, did we watch the Texas plot from its commencement! The politic South felt that its first move had been

too bold, and thenceforward worked underground. For many a year, men laughed at us for entertaining any apprehensions. It was impossible to rouse the North to its peril. David Lee Child was thought crazy because he would not believe there was no danger. His elaborate "Letters on Texan Annexation" are the ablest and most valuable contribution that has been made towards a history of the whole plot. Though we foresaw and proclaimed our conviction that annexation would be, in the end, a fatal step for the South, we did not feel at liberty to relax our opposition, well knowing the vast increase of strength it would give, at first, to the slave power. I remember being one of a committee which waited on Abbott Lawrence, a year or so only before annexation, to ask his countenance to some general movement, without distinction of party, against the Texas scheme. He smiled at our fears, begged us to have no apprehensions; stating that his correspondence with leading men at Washington enabled him to assure us annexation was impossible, and that the South itself was determined to defeat the project. A short time after senators and representatives from Texas took their seats in Congress!

Many of these services to the slave were done before I joined his cause. In thus referring to them, do not suppose me merely seeking occasion of eulogy on my predecessors and present co-laborers. I recall these things

only to rebut the contemptuous criticism which some about us make the excuse for their past neglect of the movement, and in answer to "Ion's" representation of our course as reckless fanaticism, childish impatience, utter lack of good sense, and of our meetings as scenes only of excitement, of reckless and indiscriminate denunciation. I assert that every social, moral, economical, religious, political, and historical aspect of the question has been ably and patiently examined. And all this has been done with an industry and ability which have left little for the professional skill, scholarly culture, and historical learning of the new laborers to accomplish. If the people are still in doubt, it is from the inherent difficulty of the subject, or a hatred of light, not from want of it.

So far from the antislavery cause having lacked a manly and able discussion, I think it will be acknowledged hereafter that the discussion has been one of the noblest contributions to a literature really American. Heretofore, not only has our tone been but an echo of foreign culture, but the very topics discussed and the views maintained have been too often pale reflections of European politics and European philosophy. No matter what dress we assumed, the voice was ever, "the voice of Jacob." At last we have stirred a question thoroughly American; the subject has been looked at from a point of view entirely Amer-

ican; and it is of such deep interest that it has called out all the intellectual strength of the nation. For once the nation speaks its own thoughts, in its own language, and the tone also is all its own. It will hardly do for the defeated party to claim that, in this discussion, all the ability is on their side.

We are charged with lacking foresight, and said to exaggerate. This charge of exaggeration brings to my mind a fact I mentioned, last month, at Horticultural Hall. The theaters in many of our large cities bring out, night after night, all the radical doctrines and all the startling scenes of "Uncle Tom." They preach immediate emancipation, and slaves shoot their hunters to loud applause. Two years ago, sitting in this hall, I was myself somewhat startled by the assertion of my friend Mr. Pillsbury, that the theaters would receive the gospel of antislavery truth earlier than the churches. A hiss went up from the galleries, and many in the audience were shocked by the remark. I asked myself whether I could indorse such a statement, and felt that I could not. I could not believe it to be true. Only two years have passed, and what was then deemed rant and fanaticism, by seven out of ten who heard it, has proved true. The theater, bowing to its audience, has preached immediate emancipation, and given us the whole of "Uncle Tom"; while the pulpit is either silent or hostile, and in the columns of

the theological papers the work is subjected to criticism, to reproach, and its author to severe rebuke. Do not, therefore, friends, set down as extravagant every statement which your experience does not warrant. It may be that you and I have not studied the signs of the times quite as accurately as the speaker. Going up and down the land, coming into close contact with the feelings and prejudices of the community, he is sometimes a better judge than you are of its present state. An abolitionist has more motives for watching, and more means of finding out, the true state of public opinion than most of those careless critics who jeer at his assertions to-day, and are the first to cry, "Just what I said," when his prophecy becomes a fact to-morrow.

Mr. "Ion" thinks, also, that we have thrown away opportunities, and needlessly outraged the men and parties about us. Far from it. The antislavery movement was a patient and humble suppliant at every door whence any help could possibly be hoped. If we now repudiate and denounce some of our institutions, it is because we have faithfully tried them, and found them deaf to the claims of justice and humanity. Our great leader, when he first meditated this crusade, did not

"At once, like a sunburst, his banner unfurl."

O no! he sounded his way warily forward. Brought up in the strictest reverence for

church organizations, his first effort was to enlist the clergymen of Boston in the support of his views. On their aid he counted confidently in his effort to preach immediate repentance of all sin. He did not go, with *malice prepense*, as some seem to imagine, up to that "attic" where Mayor Otis with difficulty found him. He did not court hostility or seek exile. He did not sedulously endeavor to cut himself off from the sympathy and countenance of the community about him. O no! A fervid disciple of the American Church, he conferred with some of the leading clergy of the city, and laid before them his convictions on the subject of slavery. He painted their responsibility, and tried to induce them to take from his shoulders the burden of so mighty a movement. He laid himself at their feet. He recognized the colossal strength of the clergy; he knew that against their opposition it would be almost desperate to attempt to relieve the slave. He entreated them, therefore, to take up the cause. But the clergy turned away from him! They shut their doors upon him! They bade him compromise his convictions, smother one-half of them, and support the colonization movement, making his own auxiliary to that, or they would have none of him. Like Luther, he said, "Here I stand; God help me; I can do nothing else!" But the men who joined him were not persuaded that the case was so desperate. They returned, each

to his own local sect, and remained in them until some of us, myself among the number, — later converts to the antislavery movement, — thought they were slow and faltering in their obedience to conscience, and that they ought to have cut loose much sooner than they did. But a patience which old sympathies would not allow to be exhausted, and associations, planted deeply in youth, and spreading over a large part of manhood, were too strong for any mere arguments to dislodge them. So they still persisted in remaining in the Church. Their zeal was so fervent, and their labors so abundant, that in some towns large societies were formed, led by most of the clergymen, and having almost all the church-members on their lists. In those same towns now you will not find one single abolitionist, of any stamp whatever. They excuse their falling back by alleging that we have injured the cause by our extravagance and denunciation, and by the various other questions with which our names are associated. This might be a good reason why they should not work with us, but does it excuse their not working at all? These people have been once awakened, thoroughly instructed in the momentous character of the movement, and have acknowledged the rightful claim of the slave on their sympathy and exertions. It is not possible that a few thousand persons, however extravagant, could prevent devoted men from finding some way to help such a cause, or at

least manifesting their interest in it. But they have not only left us, they have utterly deserted the slave in the hour when the interests of their sects came across his cause. Is it uncharitable to conjecture the reason? At the early period, however, to which I have referred, the Church was much exercised by the persistency of the abolitionists in not going out from her. When I joined the antislavery ranks, sixteen years ago, the voice of the clergy was: "Will these *pests* never leave us? Will they still remain to trouble us? If you do not like us, there is the door!" When our friends had exhausted all entreaty, and tested the Christianity of that body, they shook off the dust of their feet, and came out of her.

At the outset, Mr. Garrison called on the head of the orthodox denomination, — a man compared with whose influence on the mind of New England that of the statesmen whose death you have just mourned was, I think, but as dust in the balance, — a man who then held the orthodoxy of Boston in his right hand, and who has since taken up the West by its four corners, and given it so largely to Puritanism, — I mean the Rev. Dr. Lyman Beecher. Mr. Garrison was one of those who bowed to the spell of that matchless eloquence which then fulmined over our Zion. He waited on his favorite divine, and urged him to give to the new movement the incalculable aid of his name and countenance. He was patiently

heard. He was allowed to unfold his plans and array his facts. The reply of the veteran was, "Mr. Garrison, I have too many irons in the fire to put in another." My friend said, "Doctor, you had better take them all out and put this one in, if you mean well either to the religion or to the civil liberty of our country."

The great orthodox leader did not rest with merely refusing to put another iron in his fire; he attempted to limit the irons of other men. As President of Lane Theological Seminary, he endeavored to prevent the students from investigating the subject of slavery. The result, we all remember, was a strenuous resistance on the part of a large number of the students, led by that remarkable man, Theodore D. Weld. The right triumphed, and Lane Seminary lost her character and noblest pupils at the same time. She has languished ever since, even with such a president. Why should I follow Dr. Beecher into those ecclesiastical conventions where he has been tried and found wanting in fidelity to the slave? He has done no worse, indeed he has done much better, than most of his class. His opposition has always been open and manly.

But, Mr. Chairman, there is something in the blood which, men tell us, brings out virtues and defects, even when they have lain dormant for a generation. Good and evil qualities are hereditary, the physicians say. The blood whose warm currents of eloquent aid my friend

solicited in vain in that generation, has sprung voluntarily to his assistance in the next, both from the pulpit and the press, to rouse the world by the vigor and pathos of its appeals. Even on that great triumph I would say a word. Marked and unequaled as has been that success, remember, in explanation of the phenomenon, — for "Uncle Tom's Cabin" is rather an event than a book, — remember this; if the old antislavery movement had not roused the sympathies of Mrs. Stowe, the book had never been written; if that movement had not raised up hundreds of thousands of hearts to sympathize with the slave, the book had never been read. Not that the genius of the author has not made the triumph all her own; not that the unrivaled felicity of its execution has not trebled, quadrupled, increased tenfold, if you please, the number of readers; but there must be a spot even for Archimedes to rest his lever upon before he can move the world, and this effort of genius, consecrated to the noblest purpose, might have fallen dead and unnoticed in 1835. It is the antislavery movement which has changed 1835 to 1852. Those of us familiar with antislavery literature know well that Richard Hildreth's "Archy Moore," now "The White Slave," was a book of eminent ability; that it owed its want of success to no lack of genius, but only to the fact that it was a book born out of due time; that the anti-

slavery cause had not then aroused sufficient numbers, on the wings of whose enthusiasm even the most delightful fiction could have risen into world-wide influence and repute. To the cause which had changed 1835 to 1852 is due somewhat of the influence of "Uncle Tom's Cabin."

The abolitionists have never overlooked the wonderful power which the wand of the novelist was yet to wield in their behalf over the hearts of the world. Fredrika Bremer only expressed the common sentiment of many of us when she declared that "the fate of the negro is the romance of our history." Again and again, from my earliest knowledge of the cause, have I heard the opinion that in the debatable land between freedom and slavery, in the thrilling incidents of the escape and sufferings of the fugitive, and the perils of his friends, the future Walter Scott of America would find the "border-land" of his romance and the most touching incidents of his "Sixty Years Since"; and that the literature of America would gather its freshest laurels from that field.

So much, Mr. Chairman, for our treatment of the Church. We clung to it as long as we hoped to make it useful. Disappointed in that, we have tried to expose its paltering and hypocrisy on this question, broadly and with unflinching boldness, in hopes to purify and bring it to our aid. Our labors with the great religious societies, with the press, with the insti-

tutions of learning, have been as untiring and almost as unsuccessful. We have tried to do our duty to every public question that has arisen which could be made serviceable in rousing general attention. The right of petition, the power of Congress, the internal slave-trade, Texas, the compromise measures, the fugitive slave law, the motions of leading men, the tactics of parties, have all been watched and used with sagacity and effect as means to produce a change in public opinion. Dr. Channing has thanked the abolition party, in the name of all the lovers of free thought and free speech, for having vindicated that right, when all others seemed ready to surrender it, — vindicated it at the cost of reputation, ease, property, even life itself. The only blood that has ever been shed on this side the ocean, in defense of the freedom of the press, was the blood of Lovejoy, one of their number. In December, 1836, Dr. Channing spoke of their position in these terms:

"Whilst, in obedience to conscience, they have refrained from opposing force to force, they have still persevered, amidst menace and insult, in bearing their testimony against wrong, in giving utterance to their deep convictions. Of such men, I do not hesitate to say, that they have rendered to freedom a more essential service than any body of men among us. The defenders of freedom are not those who claim and exercise rights which no one assails, or who wins shouts of applause by well-turned compliments to liberty in the days of her triumph. They are those who stand up for rights which mobs, conspiracies, or single tyrants put in jeopardy; who

contend for liberty in that particular form which is threatened at the moment by the many or the few. To the abolitionists this honor belongs. The first systematic effort to strip the citizen of freedom of speech they have met with invincible resolution. From my heart I thank them. I am myself their debtor. I am not sure that I should this moment write in safety had they shrunk from the conflict, had they shut their lips, imposed silence on their presses, and hid themselves before their ferocious assailants. I know not where these outrages would have stopped had they not met resistance from their first destined victims. The newspaper press, with a few exceptions, uttered no genuine indignant rebuke of the wrong-doers, but rather countenanced by its gentle censures the reign of force. The mass of the people looked supinely on this new tyranny, under which a portion of their fellow-citizens seemed to be sinking. A tone of denunciation was beginning to proscribe all discussion of slavery; and had the spirit of violence, which selected associations as its first objects, succeeded in this preparatory enterprise, it might have been easily turned against any and every individual who might presume to agitate the unwelcome subject. It is hard to say to what outrage the fettered press of the country might not have been reconciled. I thank the abolitionists that, in this evil day, they were true to the rights which the multitude were ready to betray. Their purpose to suffer, to die, rather than surrender their dearest liberties, taught the lawless that they had a foe to contend with whom it was not safe to press, whilst, like all manly appeals, it called forth reflection and sympathy in the better portion of the community. In the name of freedom and humanity, I thank them."

No one, Mr. Chairman, deserves more of that honor than he whose chair you now occupy. Our youthful city can boast of but few

places of historic renown; but I know of no one which coming time is more likely to keep in memory than the roof which Francis Jackson offered to the antislavery women of Boston, when Mayor Lyman confessed he was unable to protect their meeting, and when the only protection the laws could afford Mr. Garrison was the shelter of the common jail.

Sir, when a nation sets itself to do evil, and all its leading forces, wealth, party, and piety, join in the career, it is impossible but that those who offer a constant opposition should be hated and maligned, no matter how wise, cautious, and well planned their course may be. We are peculiar sufferers in this way. The community has come to hate its reproving Nathan so bitterly that even those whom the relenting part of it is beginning to regard as standard-bearers of the antislavery host think it unwise to avow any connection or sympathy with him. I refer to some of the leaders of the political movement against slavery. They feel it to be their mission to marshal and use as effectively as possible the present convictions of the people. They cannot afford to encumber themselves with the odium which twenty years of angry agitation have engendered in great sects sore from unsparing rebuke, parties galled by constant defeat, and leading men provoked by unexpected exposure. They are willing to confess, privately, that our movement produced

theirs, and that its continued existence is the very breath of their life. But, at the same time, they would fain walk on the road without being soiled by too close contact with the rough pioneers who threw it up. They are wise and honorable, and their silence is very expressive.

When I speak of their eminent position and acknowledged ability, another thought strikes me. Who converted these men and their distinguished associates? It is said we have shown neither sagacity in plans, nor candor in discussion, nor ability. Who, then, or what, converted Burlingame and Wilson, Sumner and Adams, Palfrey and Mann, Chase and Hale, and Phillips and Giddings? Who taught the Christian Register, the Daily Advertiser, and that class of prints, that there were such things as a slave and a slave-holder in the land, and so gave them some more intelligent basis than their mere instincts to hate William Lloyd Garrison? What magic wand was it whose touch made the toadying servility of the land start up the real demon that it was, and at the same time gathered into the slave's service the professional ability, ripe culture, and personal integrity which grace the Free Soil ranks? We never argue! These men, then, were converted by simple denunciation! They were all converted by the "hot," "reckless," "ranting," "bigoted," "fanatic" Garrison,

who never troubled himself about facts, nor stopped to argue with an opponent, but straightway knocked him down! My old and valued friend, Mr. Sumner, often boasts that he was a reader of the Liberator before I was. Do not criticize too much the agency by which such men were converted. That blade has a double edge. Our reckless course, our empty rant, our fanaticism, has made abolitionists of some of the best and ablest men in the land. We are inclined to go on, and see if even with such poor tools we cannot make some more. Antislavery zeal and the roused conscience of the "godless come-outers" made the trembling South demand the fugitive-slave law, and the fugitive-slave law "provoked" Mrs. Stowe to the good work of "Uncle Tom." That is something! Let me say, in passing, that you will nowhere find an earlier or more generous appreciation, or more flowing eulogy, of these men and their labors, than in the columns of the Liberator. No one, however feeble, has ever peeped or muttered, in any quarter, that the vigilant eye of the Pioneer has not recognized him. He has stretched out the right hand of a most cordial welcome the moment any man's face was turned Zionward.

I do not mention these things to praise Mr. Garrison; I do not stand here for that purpose. You will not deny — if you do, I can prove it — that the movement of the abolition-

ists converted these men. Their constituents were converted by it. The assault upon the right of petition, upon the right to print and speak of slavery, the denial of the right of Congress over the District, the annexation of Texas, the fugitive-slave law, were measures which the antislavery movement provoked, and the discussion of which has made all the abolitionists we have. The antislavery cause, then, converted these men; it gave them a constituency; it gave them an opportunity to speak, and it gave them a public to listen. The antislavery cause gave them their votes, got them their offices, furnished them their facts, gave them their audience. If you tell me they cherished all these principles in their own breasts before Mr. Garrison appeared, I can only say, if the antislavery movement did not give them their ideas, it surely gave the courage to utter them.

In such circumstances, is it not singular that the name of William Lloyd Garrison has never been pronounced on the floor of the United States Congress linked with any epithet but that of contempt! No one of those men who owe their ideas, their station, their audience, to him, have ever thought it worth their while to utter one word in grateful recognition of the power which called them into being. When obliged, by the course of their argument, to treat the question historically, they can go across the water to Clarkson and Wilberforce,

—yes, to a safe salt-water distance. As Daniel Webster, when he was talking to the farmers of western New York, and wished to contrast slave and free labor, did not dare to compare New York with Virginia, —sister States, under the same government, planted by the same race, worshiping at the same altar, speaking the same language,—indentical in all respects, save that one in which he wished to seek the contrast; but no! he compared it with Cuba—, the contrast was so close! Catholic—Protestant; Spanish—Saxon; despotism—municipal institutions; readers of Lope de Vega and of Shakespeare; mutters of the mass—children of the Bible! But Virginia is too near home! So is Garrison! One would have thought there was something in the human breast which would sometimes break through policy. These noble-hearted men whom I have named must surely have found quite irksome the constant practice of what Dr. Gardiner used to call "that despicable virtue, prudence!" One would have thought, when they heard that name spoken with contempt, their ready eloquence would have leaped from its scabbard to avenge even a word that threatened him with insult. But it never came,—never! I do not say I blame them. Perhaps they thought they should serve the cause better by drawing a broad black line between themselves and him. Perhaps they thought the devil could be cheated; I do not think he can.

We are perfectly willing — I am, for one — to be the dead lumber that shall make a path for these men into the light and love of the people. We hope for nothing better. Use us freely, in any way, for the slave. When the temple is finished, the tools will not complain that they are thrown aside, let who will lead up the nation to "put on the topstone with shoutings." But while so much remains to be done, while our little camp is beleaguered all about, do nothing to weaken his influence, whose sagacity, more than any other single man's, has led us up hither, and whose name is identified with that movement which the North still heeds, and the South still fears the most. After all, Mr. Chairman, this is no hard task. We know very well that, notwithstanding this loud clamor about our harsh judgment of men and things, our opinions differ very little from those of our Free Soil friends, or of intelligent men generally, when you really get at them. It has even been said that one of that family which has made itself so infamously conspicuous here in executing the fugitive-slave law, a judge, whose earnest defense of that law we all heard in Faneuil Hall, did himself, but a little before, arrange for a fugitive to be hid till pursuit was over. I hope it is true; it would be an honorable inconsistency. And if it be not true of him, we know it is of others. Yet it is base to incite others to deeds at which, whenever we are hidden from public

notice, our own hearts recoil! But thus we see that when men lay aside the judicial ermine, the senator's robe, or the party collar, and sit down in private life, you can hardly distinguish their tone from ours. Their eyes seem as anointed as our own. As in Pope's day,—

"At all we laugh they laugh, no doubt;
The only difference is, we dare *laugh out.*"

Caution is not always good policy in a cause like ours. It is said that when Napoleon saw the day going against him, he used to throw away all the rules of war, and trust himself to the hot impetuosity of his soldiers. The masses are governed more by impulse than conviction; and even were it not so, the convictions of most men are on our side, and this will surely appear, if we can only pierce the crust of their prejudice or indifference. I observe that our Free Soil friends never stir their audience so deeply as when some individual leaps beyond the platform, and strikes upon the very heart of the people. Men listen to discussions of laws and tactics with ominous patience. It is when Mr. Sumner, in Faneuil Hall, avows his determination to disobey the fugitive-slave law, and cries out, "I was a man before I was a commissioner"; when Mr. Giddings says of the fall of slavery, quoting Adams, "Let it come! if it must come in *blood*, yet I say, let it come!"— that their associates

on the platform are sure they are wrecking the party, while many a heart beneath beats its first pulse of antislavery life.

These are brave words. When I compare them with the general tone of Free Soil men in Congress, I distrust the atmosphere of Washington and of politics. These men move about, Sauls and Goliaths, among us, taller by many a cubit. There they lose port and stature. Mr. Sumner's speech in the Senate unsays no part of his Faneuil Hall pledge. But, though discussing the same topic, no one would gather from any word or argument that the speaker ever took such ground as he did in Faneuil Hall. It is all through, the *law*, the *manner* of the surrender, not the surrender itself, of the slave, that he objects to. As my friend Mr. Pillsbury so forcibly says, so far as anything in the speech shows, he puts the slave behind the jury trial, behind the *habeas corpus* act, and behind the new interpretation of the Constitution, and says to the slave claimant: "You must get through all these before you reach him; but if you *can* get through all these, you may have him!" It was no tone like this which made the old Hall rock! Not if he got through twelve jury trials, and forty *habeas corpus* acts, and Constitutions built high as yonder monument, would he permit so much as the shadow of a little finger of the slave claimant to touch the slave! At least, so he was understood. In an elaborate discussion,

by the leader of the political antislavery party, of the whole topic of fugitive slaves, you do not find one protest against the surrender itself, one frank expression on the constitutional clause, or any indication of the speaker's final purpose, should any one be properly claimed under that provision. It was under no such uncertain trumpet that the antislavery host was originally marshaled. The tone is that of the German soldiers whom Napoleon routed. They did not care, they said, for the defeat, but only that they were not beaten according to the rule. Mr. Mann, in his speech of February 15, 1850, says: "*The states being separated*, I would as soon return my own brother or sister into bondage as I would return a fugitive slave. Before God and Christ, and all Christian men, they are my brothers and sisters." What a condition! from the lips, too, of a champion of the Higher Law! Whether the states be separate or united, neither my brother nor any other man's brother shall, with my consent, go back into bondage. So speaks the *heart;* Mr. Mann's version is that of the politician.

Mr. Mann's recent speech in August, 1852, has the same non-committal tone to which I have alluded in Mr. Sumner's. While professing, in the most eloquent terms, his loyalty to the Higher Law, Mr. Sutherland asked: "Is there, in Mr. Mann's opinion, any conflict between that Higher Law and the Constitu-

tion? If so, what is it? If not so, why introduce an irrelevant topic into the debate?" Mr. Mann avoided any reply, and asked not to be interrupted! Is that the frankness which becomes an abolitionist? Can such concealment help any cause? The design of Mr. Sutherland is evident. If Mr. Mann had allowed there was no conflict between the Higher Law and the Constitution, all his remarks were futile and out of order. But if he asserted that any such conflict existed, how did he justify himself in swearing to support that instrument?—a question our Free Soil friends are slow to meet. Mr. Mann saw the dilemma, and avoided it by silence!

The same speech contains the usual deprecatory assertions that Free Soilers have no wish to interfere with slavery in the states; that they "consent to let slavery remain where it is." If he means that he, Horace Mann, a moral and accountable being, "consents to let slavery remain where it is," all the rest of his speech is sound and fury, signifying nothing. If he means that he, Horace Mann, as a politician and party man, consents to that, but elsewhere and otherwise will do his best to abolish this "all-comprehending wickedness of slavery, in which every wrong and every crime has its natural home," then he should have plainly said so. Otherwise, his disclaimer is unworthy of him, and could have deceived no one. He must have known that all the

South care for is the action, not in what capacity the deed is done.

Mr. Giddings is more careful in his statement; but, judged by his speech on the "Platforms," how little does he seem to understand either his own duty or the true philosophy of the cause he serves! He says:

"We, sir, would drive the slave question from discussion in this hall. It never had a constitutional existence here. Separate this government from all interference with slavery; let the federal power wash its hands from that institution; let us purify ourselves from its contagion; leave it with the states, who alone have the power to sustain it, — then, sir, will agitation cease in regard to it here; then we shall have nothing more to do with it; our time will be no more occupied with it; and, like a band of freemen, a band of brothers, we could meet here, and legislate for the prosperity, the improvement, of mankind, for the elevation of our race."

Mr. Sumner speaks in the same strain. He says:

"The time will come when courts or Congress will declare that nowhere under the Constitution can man hold property in man. For the republic, such a decree will be the way of peace and safety. As slavery is banished from the national jurisdiction, it will cease to vex our national politics. It may linger in the states as a local institution, but it will no longer endanger national animosities when it no longer demands national support. . . . . For himself, he knows no better aim, under the Constitution, than to bring the government back to the precise position which it occupied when it was launched."

This seems to me a very mistaken strain.

Whenever slavery is banished from our national jurisdiction, it will be a momentous gain, a vast stride. But let us not mistake the halfway house for the end of the journey. I need not say that it matters not to abolitionists under what special law slavery exists. Their battle lasts while it exists anywhere, and I doubt not Mr. Sumner and Mr. Giddings feel themselves enlisted for the whole war. I will even suppose, what neither of these gentlemen states, that their plan includes not only that slavery shall be abolished in the District and territories, but that the slave basis of representation shall be struck from the Constitution, and the slave-surrender clause construed away. But even then, does Mr. Giddings or Mr. Sumner really believe that slavery, existing in its full force in the states, "will cease to vex our national politics"? Can they point to any state where a powerful oligarchy, possessed of immense wealth, has ever existed without attempting to meddle in the government? Even now, does not manufacturing, banking, and commercial capital prepetually vex our politics? Why should not slave capital exert the same influence? Do they imagine that a hundred thousand men, possessed of two thousand million of dollars, which they feel the spirit of the age is seeking to tear from their grasp, will not eagerly catch at all the support they can obtain by getting the control of the government? In a land where the dollar is

almighty, "where the sin of not being rich is only atoned for by the effort to become so," do they doubt that such an oligarchy will generally succeed? Besides, banking and manufacturing stocks are not urged by despair to seek a controlling influence in politics. They know they are about equally safe, whichever party rules; that no party wishes to legislate their rights away. Slave property knows that its being allowed to exist depends on its having the virtual control of the government. Its constant presence in politics is dictated, therefore, by despair, as well as by the wish to secure fresh privileges. Money, however, is not the only strength of the slave power. That, indeed, were enough in an age when capitalists are our feudal barons. But though driven entirely from national shelter the slaveholders would have the strength of old associations, and of peculiar laws in their own states, which give those states wholly into their hands. A weaker prestige, fewer privileges, and less comparative wealth have enabled the British aristocracy to rule England for two centuries, though the root of their strength was cut at Naseby. It takes ages for deeply-rooted institutions to die; and driving slavery into the states will hardly be our Naseby. Whoever, therefore, lays the flattering unction to his soul, that, while slavery exists anywhere in the states, our legislators will sit down "like a band of

brothers,"—unless they are all slave-holding brothers,—is doomed to find himself wofully mistaken. Mr. Adams, ten years ago, refused to sanction this doctrine of his friend Mr. Giddings, combating it ably and eloquently in his well-kown reply to Ingersoll. Though Mr. Adams touches on but one point, the principle he lays down has many other applications.

But is Mr. Giddings willing to sit down with slave-holders, "like a band of brothers," and not seek, knowing all the time that they are tyrants at home, to use the common strength to protect their victims? Does he not know that it is impossible for free states and slave states to unite under any form of constitution, no matter how clean the parchment may be, without the compact resulting in new strength to the slave system? It is the unimpaired strength of Massachusetts and New York, and the youthful vigor of Ohio, that, even now, enable bankrupt Carolina to hold up the institution. Every nation must maintain peace within her limits. No government can exist which does not fulfill that function. When we say the Union will maintain peace in Carolina, that being a slave state, what does "peace" mean? It means keeping the slave beneath the heel of his master. Now, even on the principle of two wrongs making a right, if we put this great weight of a common government into the scale of the slave-holder, we are bound to add something equal to the slave's side. But no, Mr.

Giddings is content to give the slave-holder the irresistible and organic help of a common government, and bind himself to utter no word, and move not a finger, in his civil capacity, to help the slaves! An abolitionist would find himself not much at home, I fancy, in that "band of brothers"!

And Mr. Sumner "knows no better aim, under the Constitution, than to bring back the government" to where it was in 1789! Has the voyage been so very honest and prosperous a one, in his opinion, that his only wish is to start again with the same ship, the same crew, and the same sailing-orders? Grant all the claims as to the state of public opinion, the intentions of leading men, and the form of our institutions at that period; still, with all these checks on wicked men, and helps to good ones, here we are, in 1853, according to his own showing, ruled by slavery, tainted to the core with slavery, and binding the infamous fugitive-slave law like an honorable frontlet on our brows! The more accurate and truthful his glowing picture of the public virtue of 1789, the stronger my argument. If even all those great patriots, and all that enthusiasm for justice and liberty, did not avail to keep us safe in such a Union, what will? In such desperate circumstances, can his statesmanship devise no better aim than to try the same experiments over again, under precisely the same conditions? What new guaranties does he propose,

to prevent the voyage from being again turned into a piratical slave-trading cruise? None! Have sixty years taught us nothing? In 1660, the English thought, in recalling Charles II., that the memory of that scaffold which had once darkened the windows of Whitehall would be guaranty enough for his good behavior. But, spite of the specter, Charles II. repeated Charles I., and James outdid him. Wiser by this experience, when the nation, in 1689, got another chance, they trusted to no guaranties, but so arranged the very elements of their government that William III. *could not* repeat Charles I. Let us profit by the lesson. These mistakes of leading men merit constant attention. Such remarks as those I have quoted, uttered from the high places of political life, however carefully guarded, have a sad influence on the rank and file of the party. The antislavery awakening has cost too many years and too much labor to risk letting its energy be turned into a wrong channel, or balked by fruitless experiments. Neither the slave nor the country must be cheated a second time.

Mr. Chairman, when I remember the grand port of these men elsewhere, and witness this confusion of ideas, and veiling of their proud crests to party necessities, they seem to me to lose in Washington something of their old giant proportions. How often have we witnessed this change! It seems the inevitable result of political life under any government,

but especially under ours; and we are surprised at it in these men only because we fondly hoped they would be exceptions to the general rule. It was Chamfort, I think, who first likened a republican senate-house to Milton's Pandemonium; another proof of the rare insight French writers have shown in criticising republican institutions. The capitol at Washington always brings to my mind that other capitol, which in Milton's great epic "rose like an exhalation" "from the burning marl," —that towering palace, "with starry lamps and blazing cressets" hung,—with "roof of fretted gold" and stately height, its hall "like a covered field." You remember, sir, the host of archangels gathered round it, and how thick the airy crowd

"Swarmed and were straitened; till, the signal given,
Behold a wonder! They but now who seemed
In bigness to surpass earth's giant sons,
Now less than smallest dwarfs, in narrow room
Throng numberless, like that pygmean race
Beyond the Indian mount; or fairy elves,
Whose midnight revels, by a forest side
Or fountain, some belated peasant sees.

. . . . . .

Thus incorporeal spirits to smallest forms
Reduced their shapes immense, and were at large,
Though without number still, amid the hall
Of that infernal court."

Mr. Chairman, they got no further than the hall. They were not, in the current phrase, "*a healthy party*"! The healthy party—the men who made no compromise in order

to come under that arch — Milton describes further on, where he says:

> "But far within,
> And in their own dimensions, like themselves,
> The great seraphic lords and cherubim,
> In close recess and secret conclave, sat;
> A thousand demigods on golden seats
> Frequent and full."

These were the healthy party! These are the Casses and the Houstons, the Footes and the Soulés, the Clays, the Websters, and the Douglases, that bow no lofty forehead in the dust, but can find ample room and verge enough under the Constitution. Our friends go down there, and must be dwarfed into pygmies before they can find space within the lists!

It would be superfluous to say that we grant the entire sincerity and true-heartedness of these men. But in critical times, when a wrong step entails most disastrous consequences, to "mean well" is not enough. Sincerity is no shield for any man from the criticism of his fellow-laborers. I do not fear such men as these will take offense at our discussion of their views and conduct. Long years of hard labor, in which we have borne at least our share, have resulted in a golden opportunity. How to use it, friends differ. Shall we stand courteously silent, and let these men play out the play, when, to our thinking, their plan will slacken the zeal, balk the hopes, and waste the efforts of the slave's friends? No! I know Charles

Sumner's love for the cause so well, that I am sure he will welcome my criticism whenever I deem his counsel wrong; that he will hail every effort to serve our common client more efficiently. It is not his honor nor mine that is at issue; not his feeling nor mine that is at issue; not his feeling nor mine that is to be consulted. The only question for either of us is, What in these golden moments can be done? Where can the hardest blow be struck? I hope I am just to Mr. Sumner; I have known him long and honor him. I know his genius, I honor his virtues; yet if, from his high place, he sends out counsels which I think dangerous to the cause, I am bound to raise my voice against them. I do my duty in a private communication to him first, then in public to his friends and mine. The friendship that will not bear this criticism is but the frost-work of a winter's morning, which the sun looks upon and it is gone. His friendship will survive all that I say of him, and mine will survive all that he shall say of me; and this is the only way in which the antislavery cause can be served. Truth, success, victory, triumph over the obstacles that beset us; this is all either of us wants.

If all I have said to you is untrue, if I have exaggerated, explain to me this fact: in 1831, Mr. Garrison commenced a paper advocating the doctrine of immediate emancipation. He

had against him the thirty thousand churches and all the clergy of the country,—its wealth, its commerce, its press. In 1831, what was the state of things? There was the most entire ignorance and apathy on the slave question. If men knew of the existence of slavery, it was only as a part of picturesque Virginia life. No one preached, no one talked, no one wrote, about it. No whisper of it stirred the surface of the political sea. The church heard of it occasionally, when some colonization agent asked funds to send the blacks to Africa. Old school-books tainted with some antislavery selections had passed out of use, and new ones were compiled to suit the times. Soon as any dissent from the prevailing faith appeared, every one set himself to crush it The pulpits preached at it; the press denounced it; mobs tore down houses, threw presses into the fire and the stream, and shot the editors; religious conventions tried to smother it; parties arrayed themselves against it. Daniel Webster boasted in the Senate that he had never introduced the subject of slavery to that body, and never would. Mr. Clay, in 1839, made a speech for the Presidency, in which he says, that to discuss the subject of slavery is moral treason, and that no man has a right to introduce the subject into Congress. Mr. Benton, in 1844, laid down his platform, and he not only denies the right, but asserts that he never has and never will discuss the subject. Yet Mr. Clay,

from 1839 down to his death, hardly made a remarkable speech of any kind except on slavery. Mr. Webster, having indulged now and then in a little easy rhetoric, as at Niblo's and elsewhere, opens his mouth in 1840, generously contributing his aid to both sides, and stops talking about it only when death closes his lips. Mr. Benton's six or eight speeches in the United States Senate have all been on the subject of slavery in the southwestern section of the country, and form the basis of whatever claim he has to the character of a statesman; and he owes his seat in the next Congress somewhat, perhaps, to antislavery pretensions! The Whig and Democratic parties pledged themselves just as emphatically against the antislavery discussion,—against agitation and free speech. These men said, "It sha'n't be talked about, it won't be talked about!" These are *your statesmen!*—men who understand the present, that is, and mould the future! The man who understands his own time, and whose genius moulds the future to his views, he is a statesman, is he not? These men devoted themselves to banks, to the tariff, to internal improvements, to constitutional and financial questions. They said to slavery: "Back! no entrance here! We pledge ourselves against you." And then there came up a humble printer-boy, who whipped them into the traces, and made them talk, like Hotspur's starling, nothing but

slavery. He scattered all these gigantic shadows,—tariff, bank, constitutional questions, financial questions,—and slavery like the colossal head in Walpole's romance, came up and filled the whole political horizon! Yet you must remember he is not a statesman; he is a "fanatic." He has no discipline,—Mr. "Ion" says so; he does not understand the "discipline that is essential to victory"! This man did not understand his own time; he did not know what the future was to be; he was not able to shape it; he had no "prudence"; he had no "foresight"! Daniel Webster says, "I have never introduced this subject, and never will,"—and died broken-hearted because he had not been able to talk enough about it. Benton says, "I will never speak of slavery," and lives to break with his party on this issue! Mr. Clay says it is "moral treason" to introduce the subject into Congress, and lives to see Congress turned into an anti-slavery debating-society, to suit the purpose of one "too powerful individual"!

These were statesmen, mark you! Two of them have gone to their graves covered with eulogy; and our national stock of eloquence is all insufficient to describe how profound and far-reaching was the sagacity of Daniel Webster! Remember who it was that said, in 1831, "I am in earnest; I will not equivocate; I will not excuse; I will not retreat a single inch; *and I will be heard!*" That speaker has

lived twenty-two years, and the complaint of twenty-three millions of people is, "Shall we never hear of anything but slavery?" I heard Dr. Kirk, of Boston, say in his own pulpit, when he returned from London, where he had been as a representative to the Evangelical Alliance, — "I went up to London, and they asked me what I thought of the question of immediate emancipation. They examined us all. Is an American never to travel anywhere in the world but men will throw this troublesome question in his face?" Well, it is all *his* fault [pointing to Mr. Garrison].

Now, when we come to talk of statesmanship, of sagacity in choosing time and measures, of endeavor, by proper means, to right the public mind, of keen insight into the present and potent sway over the future, it seems to me that the abolitionists who have taken — whether for good or for ill, whether to their discredit or to their praise — this country by the four corners, and shaken it until you can hear nothing but slavery, whether you travel in railroad or steamboat, whether you enter the hall of legislation or read the columns of a newspaper, — it seems to me that such men may point to the present aspect of the nation, to their originally avowed purpose, to the pledges and efforts of all your great men against them, and then let you determine to which side the credit of sagacity and statesmanship belongs. Napoleon busied himself, at St. Helena, in

showing how Wellington ought not to have conquered at Waterloo. The world has never got time to listen to the explanation. Sufficient for it that the allies entered Paris. In like manner, it seems hardly the province of a defeated Church and State to deny the skill of measures by which they have been conquered.

It may sound strange to some, this claim for Mr. Garrison of a profound statesmanship. Men have heard him styled a mere fanatic so long, that they are incompetent to judge him fairly. "The phrases men are accustomed," says Goethe, "to repeat incessantly end by becoming convictions, and ossify the organs of intelligence." I cannot accept you, therefore, as my jury. I appeal from Festus to Cæsar; from the prejudice of our streets to the common sense of the world, and to your children.

Every thoughtful and unprejudiced mind must see that such an evil as slavery will yield only to the most radical treatment. If you consider the work we have to do, you will not think us needlessly aggressive, or that we dig down unnecessarily deep in laying the foundations of our enterprise. A money power of two thousand millions of dollars, as the prices of slaves now range, held by a small body of able and desperate men; that body raised into a political aristocracy by special constitutional provisions; cotton, the product of slave labor, forming the basis of our whole foreign commerce, and the commercial class thus subsi-

dized; the press bought up, the pulpit reduced to vassalage, the heart of the common people chilled by a bitter prejudice against the black race; our leading men bribed, by ambition, either to silence or open hostility;— in such a land on what shall an abolitionist rely? On a few cold prayers, mere lip-service, and never from the heart? On a church resolution, hidden often in its records, and meant only as a decent cover for servility in daily practice? On political parties, with their superficial influence at best, and seeking ordinarily only to use existing prejudices to the best advantage? Slavery has deeper root here than any aristocratic institution has in Europe; and politics is but the common pulse-beat, of which revolution is the fever-spasm. Yet we have seen European aristocracy survive storms which seemed to reach down to the primal strata of European life. Shall we then trust to mere politics, where even revolution has failed? How shall the stream rise above its fountain? Where shall our church organizations or parties get strength to attack their great parent and moulder, the slave power? Shall the thing formed say to him that formed it, Why hast thou made me thus? The old jest of one who tried to lift himself in his own basket is but a tame picture of the man who imagines that by working solely through existing sects and parties he can destroy slavery. Mechancis say nothing but an earthquake,

strong enough to move all Egypt, can bring down the pyramids.

Experience has confirmed these views. The abolitionists who have acted on them have a "short method" with all unbelievers. They have but to point to their own success, in contrast with every other man's failure. To waken the nation to its real state, and chain it to the consideration of this one duty, is half the work. So much we have done. Slavery has been made the question of this generation. To startle the South to madness, so that every step she takes, in her blindness, is one step more toward ruin, is much. This we have done. Witness Texas and the fugitive-slave law. To have elaborated for the nation the only plan of redemption, pointed out the only exodus from this "sea of troubles," is much. This we claim to have done in our motto of *Immediate, unconditional emancipation on the soil.* The closer any statesmanlike mind looks into the question, the more favor our plan finds with it. The Christian asks fairly of the infidel, "If this religion be not from God, how do you explain its triumph, and the history of the first three centuries?" Our question is similar. If our agitation has not been wisely planned and conducted, explain for us the history of the last twenty years. Experience is a safe light to walk by, and he is not a rash man who expects success in future from the same means which have secured it in times past.

Stephen Arnold Douglas

(1813–1861)

ON THE KANSAS–NEBRASKA BILL

[Delivered March 3, 1854, in the Senate.]

IT has been urged in debate that there is no necessity for these territorial organizations; and I have been called upon to point out any public and national considerations which require action at this time. Senators seem to forget that our immense and valuable possessions on the Pacific are separated from the states and organized territories on this side of the Rocky Mountains by a vast wilderness, filled by hostile savages; that nearly a hundred thousand emigrants pass through this barbarous wilderness every year, on their way to California and Oregon; that these emigrants are American citizens, our own constituents, who are entitled to the protection of law and government; and that they are left to make their way as best they may, without the protection or aid of law or government.

The United States mails for Mexico and Utah, and all official communications between this government and the authorities of those territories, are required to be carried over these

wild plains, and through the gorges of the mountains, where you have made no provision for roads, bridges, or ferries to facilitate travel, or forts or other means of safety to protect life. As often as I have brought forward and urged the adoption of measures to remedy these evils, and afford security against the dangers to which our people are constantly exposed, they have been promptly voted down as not being of sufficient importance to command the favorable consideration of Congress. Now, when I propose to organize the territories, and allow the people to do for themselves what you have so often refused to do for them, I am told that there are not white inhabitants enough permanently settled in the country to require and sustain a government. True, there is not a very large population there, for the very good reason that your Indian code and intercourse laws exclude the settlers, and forbid their remaining there to cultivate the soil. You refuse to throw the country open to settlers, and then object to the organization of the territories, upon the ground that there is not a sufficient number of inhabitants.

The senator from Connecticut [Mr. Smith] has made a long argument to prove that there are no inhabitants in the proposed territories, because nearly all of those who have gone and settled there have done so in violation of certain old acts of Congress which forbid the people to take possession of, and settle

upon, the public lands until after they should be surveyed and brought into market.

I do not propose to discuss the question whether these settlers are technically legal inhabitants or not. It is enough for me that they are a part of our own people; that they are settled on the public domain; that the public interests would be promoted by throwing that public domain open to settlement; and that there is no good reason why the protection of law and the blessings of government should not be extended to them. I must be permitted to remind the senator that the same objection existed in its full force to Minnesota, to Oregon, and to Washington, when each of those territories were organized; and that I have no recollection that he deemed it his duty to call the attention of Congress to the objection, or considered it of sufficient importance to justify him in recording his own vote against the organization of either of those territories.

Mr. President, I do not feel called upon to make any reply to the argument which the senator from Connecticut has urged against the passage of this bill, upon the score of expense in sustaining these territorial governments, for the reason, that if the public interests require the enactment of the law, it follows, as a natural consequence, that all the expenses necessary to carry it into effect are wise and proper.

I will proceed to the consideration of the

great principle involved in the bill, without omitting, however, to notice some of those extraneous matters which have been brought into the discussion with the view of producing another antislavery agitation. We have been told by nearly every senator who has spoken in opposition to this bill, that at the time of its introduction the people were in a state of profound quiet and repose; that the antislavery agitation had entirely ceased; and that the whole country was acquiescing cheerfully and cordially in the compromise measures of 1850 as a final adjustment of this vexed question. Sir, it is truly refreshing to hear senators who contested every inch of ground in opposition to those measures when they were under discussion, who predicted all manner of evils and calamities from their adoption, and who raised the cry of repeal and even resistance to their execution after they had become the laws of the land,—I say it is really refreshing to hear these same senators now bear their united testimony to the wisdom of those measures, and to the patriotic motives which induced us to pass them in defiance of their threats and resistance, and to their beneficial effects in restoring peace, harmony and fraternity to a distracted country. These are precious confessions from the lips of those who stand pledged never to assent to the propriety of those measures, and to make war upon them so long as they shall remain upon

the statute-book. I well understand that these confessions are now made, not with the view of yielding their assent to the propriety of carrying those enactments into faithful execution, but for the purpose of having a pretext for charging upon me, as the author of this bill, the responsibility of an agitation which they are striving to produce. They say that I, and not they, have revived the agitation. What have I done to render me obnoxious to this charge? They say I wrote and introduced this Nebraska bill. That is true; but I was not a volunteer in the transaction. The Senate, by a unanimous vote, appointed me chairman of the territorial committee, and associated five intelligent and patriotic senators with me, and thus made it our duty to take charge of all territorial business. In like manner, and with the concurrence of these complaining senators, the Senate referred to us a distinct proposition to organize this Nebraska territory, and required us to report specifically upon the question. I repeat, then, we were not volunteers in this business. The duty was imposed upon us by the Senate. We were not unmindful of the delicacy and responsibility of the position. We were aware that from 1820 to 1850 the abolition doctrine of congressional interference with slavery in the territories and new states had so far prevailed as to keep up an incessant slavery agitation in Congress and throughout the country whenever any new

territory was to be acquired or organized. We were also aware that, in 1850, the right of the people to decide this question for themselves, subject only to the Constitution, was submitted for the doctrine of congressional intervention. This first question, therefore, which the committee were called upon to decide, and indeed the only question of any material importance in framing this bill, was this: Shall we adhere to and carry out the principle recognized by the compromise measures of 1850, or shall we go back to the old exploded doctrine of congressional interference, as established in 1820 in a large portion of the country, and which it was the object of the Wilmot proviso to give a universal application, not only to all the territory which we then possessed, but all which we might hereafter acquire? There were no other alternatives. We were compelled to frame the bill upon the one or the other of these two principles. The doctrine of 1820, or the doctrine of 1850, must prevail. In the discharge of the duty imposed upon us by the Senate, the committee could not hesitate upon this point, whether we consulted our individual opinions and principles, or those which were known to be entertained and boldly avowed by a large majority of the Senate. The two great political parties of the country stood solemnly pledged before the world to adhere to the compromise measures of 1850, "in principle and substance." A large major-

ity of the Senate, indeed every member of the body, I believe, except the two avowed abolitionists [Mr. Chase and Mr. Sumner], profess to belong to the one or the other of these parties, and hence was supposed to be under a high moral obligation to carry out the "principle and substance" of those measures in all new territorial organizations. The report of the committee was in accordance with this obligation. I am arraigned, therefore, for having endeavored to represent the opinions and principles of the Senate truly; for having performed my duty in conformity with the parliamentary law; for having been faithful to the trust reposed in me by the Senate. Let the vote this night determine whether I have thus faithfully represented your opinions. When a majority of the Senate shall have passed the bill; when a majority of the states shall have indorsed it through their representatives upon this floor; when a majority of the South and a majority of the North shall have sanctioned it; when a majority of the Whig party and a majority of the Democratic party shall have voted for it; when each of these propositions shall be demonstrated by the vote this night on the final passage of the bill,—I shall be willing to submit the question to the country, whether, as the organ of the committee, I performed my duty in the report and bill which have called down upon my head so much denunciation and abuse.

Mr. President, the opponents of this measure have had much to say about the mutations and modifications which this bill has undergone since it was first introduced by myself, and about the alleged departure of the bill, in its present form, from the principle laid down in the original report of the committee as a rule of action in all future territorial organizations. Fortunately there is no necessity, even if your patience would tolerate such a course of argument at this late hour of the night, for me to examine these speeches in detail, and reply to each charge separately. Each speaker seems to have followed faithfully in the footsteps of his leader in the path marked out by the abolition confederates in their manifesto, which I took occasion to expose on a former occasion. You have seen them on their winding way, meandering the narrow and crooked path in Indian file, each treading close upon the heels of the other, and neither venturing to take a step to the right or left, or to occupy one inch of ground which did not bear the footprint of the abolition champion. To answer one, therefore, is to answer the whole. The statement to which they seem to attach the most importance, and which they have repeated oftener, perhaps, than any other, is, that, pending the compromise measures of 1850, no man in or out of Congress ever dreamed of abrogating the Missouri Compromise; that from that period down to the present session nobody

supposed that its validity had been impaired, or anything done which rendered it obligatory upon us to make it inoperative hereafter; that at the time of submitting the report and bill to the Senate on the 4th of January last, neither I nor any member of the committee ever thought of such a thing; and that we could never be brought up to the point of abrogating the eighth section of the Missouri act until after the senator from Kentucky introduced his amendment to my bill.

Mr. President, before I proceed to expose the many misrepresentations contained in this complicated charge, I must call the attention of the Senate to the false issue which these gentlemen are endeavoring to impose upon the country, for the purpose of diverting public attention from the real issue contained in the bill. They wish to have the people believe that the abrogation of what they call the Missouri Compromise was the main object and aim of the bill, and that the only question involved is, whether the prohibition of slavery north of 36° 30′ shall be repealed or not? That which is a mere incident they choose to consider the principal. They make war on the means by which we propose to accomplish an object instead of openly resisting the object itself. The principle which we propose to carry into effect by the bill is this: That *Congress shall neither legislate slavery into any territories or state, nor out of the same; but the people shall*

be left free to regulate their domestic concerns in their own way, subject only to the Constitution of the United States.

In order to carry this principle into practical operation, it becomes necessary to remove whatever legal obstacles might be found in the way of its free exercise. It is only for the purpose of carrying out this great fundamental principle of self-government that the bill renders the eighth section of the Missouri act inoperative and void.

Now, let me ask, will these senators who have arraigned me, or any one of them, have the assurance to rise in his place and declare that this great principle was never thought of or advocated as applicable to territorial bills in 1850; that from that session until the present nobody ever thought of incorporating this principle in all new territorial organizations; that the Committee on Territories did not recommend it in their report; and that it required the amendment of the senator from Kentucky to bring us up to that point? Will any one of my accusers dare to make this issue, and let it be tried by the record? I will begin with the compromises of 1850. Any senator who will take the trouble to examine our journals will find that on the 25th of March of that year I reported from the Committee on Territories two bills, including the following measures: the admission of California, a territorial government for Utah, a territorial

government for New Mexico, and the adjustment of the Texas boundary. These bills proposed to leave the people of Utah and New Mexico free to decide the slavery question for themselves, *in the precise language of the Nebraska bill now under discussion.* A few weeks afterwards the committee of thirteen took those two bills and put a wafer between them, and reported them back to the Senate as one bill, with some slight amendments. One of those amendments was, that the territorial legislatures should not legislate upon the subject of African slavery. I objected to that provision, upon the ground that it subverted the great principle of self-government upon which the bill had been originally framed by the Territorial Committee. On the first trial, the Senate refused to strike it out, but subsequently did so, after full debate, in order to establish that principle as the rule of action in territorial organizations.

. . . . .

Mr. President, I could multiply extract after extract from my speeches in 1850, and prior to that date, to show that this doctrine of leaving the people to decide these questions for themselves is not an "afterthought" with me, seized upon this session, for the first time, as my calumniators have so frequently and boldly charged in their speeches during this debate, and in their manifesto to the public. I refused to support the celebrated omnibus bill in 1850 until the

obnoxious provision was stricken out, and the principle of self-government restored as it existed in my original bill. No sooner were the compromise measures of 1850 passed than the abolition confederates, who lead the opposition to this bill now, raised the cry of repeal in some sections of the country, and in others forcible resistance to the execution of the law. In order to arrest and suppress the treasonable purposes of these abolition confederates, and avert the horrors of civil war, it became my duty, on the 23d of October, 1850, to address an excited and frenzied multitude at Chicago, in defense of each and all of the compromise measures of that year. I will read one or two sentences from that speech, to show how these measures were then understood and explained by their advocates:

"*These measures are predicated on the great fundamental principle that every people ought to possess the right of forming and regulating their own internal concerns and domestic institutions in their own way.*"

Again:

"*These things are all confided by the Constitution to each state to decide for itself, and I know of no reason why the same principle should not be confided to the territories.*"

In this speech it will be seen that I lay down a general principle of universal application, and make no distinction between territories north or south of 36° 30′. I am aware that

some of the abolition confederates have perpetuated a monstrous forgery on that speech, and are now circulating through the abolition newspapers the statement that I said that I would "cling with the tenacity of life to the compromise of 1820." This statement, false as it is, —a deliberate act of forgery, as it is known to be by all who have ever seen or read the speech referred to,—constitutes the staple article out of which most of the abolition orators at the small anti-Nebraska meetings manufacture the greater part of their speeches. I now declare that there is not a sentence, a line, nor even a word, in that speech which imposes the slightest limitation on the application of the great principle embraced in this bill in all new territorial organizations, without the least reference to the line of 36° 30′?

At the session of 1850–51, a few weeks after this speech was made at Chicago, and when it had been published in pamphlet form and circulated extensively over the state, the legislature of Illinois proceeded to revise its action upon the slavery question, and define its position on the compromises of 1850. After rescinding the resolutions adopted at a previous session instructing my colleague and myself to vote for a proposition prohibiting slavery in the territories, resolutions were adopted approving the compromise measures of 1850. I will read one of the resolutions, which was adopted in the House

of Representatives by a vote of 61 yeas to 4 nays:

Resolved, that our liberty and independence are based upon the right of the people to form for themselves such a government as they may choose; that this great privilege — the birthright of freemen, the gift of Heaven, secured to us by the blood of our ancestors — ought to be extended to future generations; and no limitation ought to be applied to this power in the organization of any territory of the United States, of either a territorial government or a state constitution; *provided*, the government so established shall be republican, and in conformity with the Constitution."

Another series of resolutions having passed the Senate almost unanimously, embracing the same principle in different language, they were concurred in by the House. Thus was the position of Illinois upon the slavery question defined at the first session of the legislature after the adoption of the compromise of 1850.

Now, sir, what becomes of the declaration which has been made by nearly every opponent of this bill, that nobody in this whole Union ever dreamed that the principle of the Utah and New Mexican bill was to be incorporated into all future territorial organizations? I have shown that my own state so understood and declared it, at the time, in the most implicit and solemn manner. Illinois declared that our "liberty and independence" rest upon this "principle"; that the principle "ought to be extended to future generations"; and that "no limitation ought to be applied to this

power in the organization of any territory of the United States." No exception is made in regard to Nebraska. No Missouri Compromise lines, no reservations of the country north of 36° 30′. The principle is declared to be the "birthright of freemen," the "gift of Heaven"; to be applied without "limitation," in Nebraska as well as Utah, north as well as south of 36° 30′.

It may not be out of place here to remark that the legislature of Illinois, at its recent session, has passed resolutions approving the Nebraska bill; and among the resolutions is one in the precise language of the resolution of 1851, which I have just read to the Senate. Thus I have shown, Mr. President, that the legislature and people of Illinois have always understood the compromise measures of 1850 as establishing certain principles as rules of action in the organization of all new territories, and that no limitation was to be made on either side of the geographical line of 36 °30′. Neither my time nor your patience will allow me to take up the resolutions of the different states in detail, and show what has been the common understanding of the whole country upon this point. I am now vindicating myself and my own action against the assaults of my calumniators; and, for that purpose, it is sufficient to show that, in the report and bill which I have presented to the Senate, I have only carried out the known principles and solemnly

declared will of the state whose representative I am. I will now invite the attention of the Senate to the report of the committee, in order that it may be known how much, or rather how little, truth there is for the allegation which has been so often made and repeated on this floor, that the idea of allowing the people in Nebraska to decide the slavery question for themselves was a "sheer afterthought," conceived since the report was made, and not until the senator from Kentucky proposed his amendment to the bill.

I read from that portion of the report in which the committee lay down the principle by which they propose to be governed:

"In the judgment of your committee, those measures [compromise of 1850] were intended to have a far more comprehensive and enduring effect than the mere adjustment of the difficulties arising out of the recent acquisition of Mexican territory. They were designed to establish certain great principles, which would not only furnish adequate remedies for existing evils, but *in all time to come* avoid the perils of a similar agitation, *by withdrawing the question of slavery from the halls of Congress and the political arena, and committing it to the arbitrament of those who were immediately interested in and alone responsible for its consequences.*"

After making a brief argument in defense of this principle, the report proceeds as follows:

"From these provisions, it is apparent that the compromise measures of 1850 affirm and rest upon the following propositions:

First. That all questions pertaining to slavery in

the territories, and in the new states to be formed therefrom, are to be left to the decision of the people residing therein, by their appropriate representatives, to be chosen by them for that purpose."

And in conclusion, the report proposes a substitute for the bill introduced by the senator from Iowa, and concludes as follows:

"The substitute for the bill which your committee have prepared, and which is commended to the favorable action of the Senate, proposes to carry these propositions and principles into practical operation, in the precise language of the compromise measures of 1850."

Mr. President, as there has been so much misrepresentation upon this point, I must be permitted to repeat that the doctrine of the report of the committee, as has been conclusively proved by these extracts, is:

First. That the whole question of slavery should be withdrawn from the halls of Congress and the political arena, and committed to the arbitrament of those who are immediately interested in and alone responsible for its existence.

Second. The applying this principle to the territories, and the new states to be formed therefrom, all questions pertaining to slavery were to be referred to the people residing therein.

Third. That the committee proposed to carry these propositions and principles into effect in the precise language of the compromise measures of 1850.

Are not these propositions identical with the principles and provisions of the bill on your tables? If there is a hair's breadth of discrepancy between the two, I ask any senator to rise in his place and point it out. Both rest upon the great principle which forms the basis of all our institutions,—that the people are to decide the question for themselves, subject only to the Constitution.

But my accusers attempt to raise up a false issue, and thereby divert public attention from the real one, by the cry that the Missouri compromise is to be repealed or violated by the passage of this bill. Well, if the eighth section of the Missouri act, which attempted to fix the destinies of future generations in those territories for all time to come, in utter disregard of the rights and wishes of the people when they should be received into the Union as states, be inconsistent with the great principle of self-government and the Constitution of the United States, it ought to be abrogated. The legislation of 1850 abrogated the Missouri Compromise, so far as the country embraced within the limits of Utah and New Mexico was covered by the slavery restriction. It is true that those acts did not, in terms and by name, repeal the act of 1820, as originally adopted, or as extended by the resolutions annexing Texas in 1845, any more than the report of the Committee on Territories proposes to repeal the same acts this session.

But the acts of 1850 did authorize the people of those territories to exercise "all rightful powers of legislation consistent with the Constitution," not excepting the question of slavery; and did provide that, when those territories should be admitted into the Union, they should be received with or without slavery as the people thereof might determine at the date of their admission. These provisions were in direct conflict with a clause in a former enactment, declaring that slavery should be forever prohibited in any portion of said territories, and hence rendered such clause inoperative and void to the extent of such conflict. This was an inevitable consequence, resulting from the provisions in those acts which gave the people the right to decide the slavery question for themselves, in conformity with the Constitution. It was not necessary to go further and declare that certain previous enactments which were incompatible with the exercise of the powers conferred in the bills "are hereby repealed." The very act of granting those powers and rights have the legal effect of removing all obstructions to the exercise of them by the people as prescribed in those territorial bills. Following that example, the Committee on Territories did not consider it necessary to declare the eighth section of the Missouri act repealed. We were content to organize Nebraska in the precise language of the Utah and New Mexican bills. Our object was to

leave the people entirely free to form and regulate their domestic institutions and internal concerns in their own way, under the Constitution; and we deemed it wise to accomplish that object in the exact terms in which the same thing had been done in Utah and New Mexico by the acts of 1850. This was the principle upon which the committee voted; and our bill was supposed, and is now believed, to have been in accordance with it. When doubts were raised whether the bill did fully carry out the principle laid down in the report, amendments were made, from time to time, in order to avoid all misconstruction, and make the true intent of the act more explicit. The last of these amendments was adopted yesterday, on the motion of the distinguished senator from North Carolina [Mr. Badger], in regard to the revival of any laws or regulations which may have existed prior to 1820. That amendment was not intended to change the legal effect of the bill. Its object was to repel the slander which had been propagated by the enemies of the measure in the North, that the southern supporters of the bill desired to legislate slavery into these territories. The South denies the right of Congress either to legislate slavery into any territory or state, or out of any territory or state. Non-intervention by Congress with slavery in the states or territories is the doctrine of the bill; and all the amendments which have been agreed to

have been made with the view of removing all doubt and cavil as to the true meaning and object of the measure.

Mr. President, I think I have succeeded in vindicating myself and the action of the committee from the assaults which have been made upon us in consequence of these amendments. It seems to be the tactics of our opponents to direct their arguments against the unimportant points and incidental questions which are to be effected by carrying out a principle, with the hope of relieving themselves from the necessity of controverting the principle itself. The senator from Ohio [Mr. Chase] led off gallantly in the charge that the committee, in the report and bill first submitted, did not contemplate the repeal of the Missouri Compromise, and could not be brought to that point until after the senator from Kentucky offered his amendment. The senator from Connecticut [Mr. Smith] followed his lead, and repeated the same statement. Then came the other senator from Ohio [Mr. Wade], and the senator from New York [Mr. Seward], and the senator from Massachusetts [Mr. Sumner], all singing the same song, only varying the tune.

Let me ask these senators what they mean by this statement? Do they wish to be understood as saying that the report and first form of the bill did not provide for leaving the slavery question to the decision of the people in the terms of the Utah bill? Surely they

will not dare to say that; for I have already shown that the two measures were identical in principle and enactment. Do they mean to say that the adoption of our first bill would not have had the legal effect to have rendered the eighth section of the Missouri act "inoperative and void," to use the language of the present bill? If this be not their meaning, will they rise in their places and inform the Senate what their meaning was? They must have had some object in giving so much prominence to this statement, and in repeating it so often. I address the question to the senators from Ohio and Massachusetts [Mr. Chase and Mr. Sumner]. I despair in extorting a response from them; for no matter in what way they may answer upon this point, I have in my hand the evidence, over their own signatures, to disprove the truth of their answer. I allude to their appeal or manifesto to the people of the United States, in which they arraign the bill and report in coarse and savage terms, as a proposition to repeal the Missouri Compromise, to violate plighted faith, to abrogate a solemn compact, etc., etc. This document was signed by these two senators in their official capacity, and published to the world before any amendments had been offered to the bill. It was directed against the committee's first bill and report, and against them alone. If the statements in this document be true, that the first bill did repeal the eighth section of the Missouri

act, what are we to think of the statements in their speeches since, that such was not the intention of the committee, was not the recommendation of the report, and was not the legal effect of the bill? On the contrary, if the statements in their subsequent speeches are true, what apology do those senators propose to make to the Senate and country for having falsified the action of the committee in a document over their own signatures, and thus spread a false alarm among the people, and misled the public mind in respect to our proceedings? These senators cannot avoid the one or the other of these alternatives. Let them seize upon either, and they stand condemned and self-convicted; in the one case by their manifesto, and in the other by their speeches. In fact, it is clear that they have understood the bill to mean the same thing, and to have the same legal effect in whatever phase it has been presented. When first introduced, they denounced it as a proposition to abrogate the Missouri restriction. When amended, they repeated the same denunciation, and so on each successive amendment. They now object to the passage of the bill for the same reason; thus proving conclusively that they have not the least faith in the correctness of their own statements in respect to the mutations and changes in the bill. They seem very unwilling to meet the real issue. They do not like to discuss the principle. There seems to

be something which strikes them with terror when you invite their attention to that great fundamental principle of popular sovereignty. Hence you find that all the memórials they have presented are against repealing the Missouri Compromise, and in favor of the sanctity of compacts, in favor of preserving plighted faith. The senator from Ohio is cautious to dedicate his speech with some such heading as "Maintain plighted faith." The object is to keep the attention of the people as far as possible from this principle of self-government and constitutional right.

Well, sir, what is this Missouri Compromise, of which we have heard so much of late? It has been read so often that it is not necessary to occupy the time of the Senate in reading it again. It was an act of Congress, passed on the 6th of March, 1820, to authorize the people of Missouri to form a constitution and a state government, preparatory to the admission of such state into the Union. The first section provided that Missouri should be received into the Union "on an equal footing with the original states in all respects whatsoever." The last and eighth section provided that slavery should be "forever prohibited" in all the territory which had been acquired from France north of 36° 30′, and not included within the limits of the state of Missouri. There is nothing in the terms of the law that purports to be a compact, or indicates that it was anything

more than an ordinary act of legislation. To prove that it was more than it purports to be on its face, gentlemen must produce other evidence, and prove that there was such an understanding as to create a moral obligation in the nature of a compact. Have they shown it?

I have heard but one item of evidence produced during this whole debate, and that was a short paragraph from Niles's Register, published a few days after the passage of the act. But gentlemen aver that it was a solemn compact, which could not be violated or abrogated without dishonor. According to their understanding, the contract was that, in consideration of the admission of Missouri into the Union on an equal footing with the original states, in all respects whatsoever, slavery should be prohibited forever in the territories north of 36° 30′. Now, who were the parties to this alleged compact? They tell us that it was a stipulation between the North and the South. Sir, I know of no such parties under the Constitution. I am unwilling that there shall be any such parties known in our legislation. If there is such a geographical line, it ought to be obliterated forever, and there should be no other parties than those provided for in the Constitution; viz., the states of this Union. These are the only parties capable of contracting under the Constitution of the United States.

Now, if this was a compact, let us see how it was entered into. The bill originated in the House of Representatives, and passed that body without a southern vote in its favor. It is proper to remark, however, that it did not at that time contain the eighth section, prohibiting slavery in the territories; but in lieu of it, contained a provision prohibiting slavery in the proposed state of Missouri. In the Senate the clause prohibiting slavery in the state was stricken out, and the eighth section added to the end of the bill, by the terms of which slavery was to be forever prohibited in the territory not embraced in the state of Missouri north of 36° 30′. The vote on adding this section stood in the Senate, 34 in the affirmative, 10 in the negative. Of the Northern senators, 20 voted for it and 2 against it. On the question of ordering the bill to a third reading as amended, which was the test vote on its passage, the vote stood 24 yeas and 20 nays. Of the northern senators, 4 only voted in the affirmative, and 18 in the negative. Thus it will be seen that if it was intended to be a compact, the North never agreed to it. The northern senators voted to insert the prohibition of slavery in the territories; and then, in the proportion of more than four to one, voted against the passage of the bill. The North, therefore, never signed the compact, never consented to it, never agreed to be bound by it. This fact becomes very impor-

tant in vindicating the character of the North for repudiating this alleged compromise a few months afterwards. The act was approved and became a law on the 6th of March, 1820. In the summer of that year, the people of Missouri formed a constitution and state government preparatory to admission into the Union, in conformity with the act. At the next session of Congress the Senate passed a joint resolution, declaring Missouri to be one of the states of the Union, on an equal footing with the original states. This resolution was sent to the House of Representatives, where it was rejected by the northern votes; and thus Missouri was voted out of the Union, instead of being received into the Union under the act of the 6th of March, 1820, now known as the Missouri Compromise. Now, sir, what becomes of our plighted faith, if the act of the 6th of March, 1820, was a solemn compact, as we are now told? They have all rung the changes upon it, that it was a sacred and irrevocable compact, binding in honor, in conscience, and morals, which could not be violated or repudiated without perfidy and dishonor! The two senators from Ohio [Mr. Chase and Mr. Wade], the senator from Massachusetts [Mr. Sumner], the senator from Connecticut [Mr. Smith], the senator from New York [Mr. Seward], and perhaps others, have all assumed this position.

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After having procured the prohibition in the territories, the North, by a majority of her votes, refused to admit Missouri as a slave-holding state, and, in violation of the alleged compact, required her to prohibit slavery as a further condition of her admission. This repudiation of the alleged compact by the North is recorded by yeas and nays, sixty-one to thirty-three, and entered upon the Journal, as an imperishable evidence of the fact. With this evidence before us, against whom should the charge of perfidy be preferred?

Sir, if this was a compact, what must be thought of those who violated it almost immediately after it was formed? I say it is a calumny upon the North to say that it was a compact. I should feel a flush of shame upon my cheek, as a northern man, if I were to say that it was a compact, and that the section of the country to which I belong received the consideration, and then repudiated the obligation in eleven months after it was entered into. I deny that it was a compact, in any sense of the term. But if it was, the record proves that faith was not observed; that the contract was never carried into effect; that after the North had procured the passage of the act prohibiting slavery in the territories, with a majority in the House large enough to prevent its repeal, Missouri was refused admission into the Union as a slave-holding state, in conformity with the act of March 6, 1820.

If the proposition be correct, as contended for by the opponents of this bill, that there was a solemn compact between the North and South that, in consideration of the prohibition of slavery in the territories, Missouri was to be admitted into the Union, in conformity with the act of 1820, that compact was repudiated by the North, and rescinded by the joint action of the two parties, within twelve months from its date. Missouri was never admitted under the act of the 6th of March, 1820. She was refused admission under that act. She was voted out of the Union by northern votes, notwithstanding the stipulation that she should be received; and, in consequence of these facts, a new compromise was rendered necessary, by the terms of which Missouri was to be admitted into the Union conditionally; admitted on a condition not embraced in the act of 1820, and, in addition, to a full compliance with all the provisions of said act. If, then, the act of 1820, by the eighth section of which slavery was prohibited in Missouri, was a compact, it is clear to the comprehension of every fair-minded man that the refusal of the North to admit Missouri, in compliance with its stipulations, and without further conditions, imposes upon us a high moral obligation to remove the prohibition of slavery in the territories, since it has been shown to have been procured upon a condition never performed.

Mr. President, inasmuch as the senator

from New York has taken great pains to impress upon the public mind of the North the conviction that the act of 1820 was a solemn compact, the violation or repudiation of which, by either party, involves perfidy and dishonor, I wish to call the attention of that senator [Mr. Seward] to the fact, that his own state was the first to repudiate the compact, and to instruct her senators in Congress not to admit Missouri into the Union in compliance with it, nor unless slavery should be prohibited in the state of Missouri.

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Mr. President, I cannot let the senator off on the plea that I, for the sake of argument, in reply to him and other opponents of this bill, have called it a compact; or that other friends of Nebraska have called it a compact which has been violated and rendered invalid. He and his abolition confederates have arraigned me for the violation of a compact which, they say, is binding in morals, in conscience, and honor. I have shown that the legislature of New York, at its present session, has declared it to be "a solemn compact," and that its repudiation would "be regarded by them as a violation of right and of faith, and destructive of confidence and regard." I have also shown, that if it be such a compact, the state of New York stands self-condemned and self-convicted as the first to repudiate and violate it.

But since the senator has chosen to make an issue with me in respect to the action of New York, with the view of condemning my conduct here, I will invite the attention of the senator to another portion of these resolutions. Referring to the fourteenth section of the Nebraska bill, the legislature of New York says:

"That the adoption of this provision would be in derogation of the truth, a gross violation of plighted faith, and an outrage and indignity upon the free states of the Union, whose assent has been yielded to the admission into the Union of Missouri and of Arkansas, with slavery, in reliance upon the faithful observance of the provision (now sought to be abrogated) known as the Missouri Compromise, whereby slavery was declared to be forever prohibited in all that territory ceded by France to the United States, under the name of Louisiana, which lies north of 36° 30′ north latitude, not included within the limits of the state of Missouri."

I have no comments to make upon the courtesy and propriety exhibited in this legislative declaration, that a provision in a bill, reported by a regular committee of the Senate of the United States, and known to be approved by three-fourths of the body, and which has since received the sanction of their votes, is "in derogation of truth, a gross violation of plighted faith, and an outrage and indignity," etc. The opponents of this measure claim a monopoly of all the courtesies and amenities which should be observed among gentlemen, and especially in the performance of official duties; and I am free to say that this is one

of the mildest and most respectful forms of expression in which they have indulged. But there is a declaration in this resolution to which I wish to invite the particular attention of the Senate and the country. It is the distinct allegation that "the free states of the Union," including New York, yielded their "assent to the admission into the Union of Missouri and Arkansas, with slavery, in reliance upon the faithful observance of the provision known as the Missouri Compromise."

Now, sir, since the legislature of New York has gone out of its way to arraign the state on matters of truth, I will demonstrate that this paragraph contains two material statements in "derogation of truth." I have already shown beyond controversy, by the records of the legislature and by the journals of the Senate, that New York never did give her assent to the admission of Missouri with slavery! Hence, I must be permitted to say, in the polite language of her own resolutions, that the statement that New York yielded her assent to the admission of Missouri with slavery is in "derogation of truth"; and secondly, the statement that such assent was given "in reliance upon the faithful observance of the Missouri Compromise" is equally "in derogation of truth." New York never assented to the admission of Missouri as a slave state, never assented to what she now calls the Missouri Compromise, never observed its stip-

ulations as a compact, never has been willing to carry it out; but, on the contrary, has always resisted it, as I have demonstrated by her own records.

Mr. President, I have before me other journals, records, and instructions, which prove that New York was not the only free state that repudiated the Missouri Compromise of 1820 within twelve months from its date. I will not occupy the time of the Senate at this late hour of the night, by referring to them, unless some opponent of the bill renders it necessary. In that event, I may be able to place other senators and their states in the same unenviable position in which the senator from New York has found himself and his state.

I think I have shown that to call the act of the 6th of March, 1820, a compact, binding in honor, is to charge the northern states of this Union with an act of perfidy unparalleled in the history of legislation or of civilization. I have already adverted to the facts that in the summer of 1820 Missouri formed her constitution, in conformity with the act of the 6th of March; that it was presented to Congress at the next session; that the Senate passed a joint resolution declaring her to be one of the states of the Union, on an equal footing with the original states; and that the House of Representatives rejected it, and refused to allow her to come into the

Union because her constitution did not prohibit slavery.

These facts created the necessity for a new compromise, the old one having failed of its object, which was to bring Missouri into the Union. At this period in the order of events, in February, 1821, when the excitement was almost beyond restraint, and a great fundamental principle involving the right of the people of the new states to regulate their own domestic institutions, was dividing the Union into two great hostile parties, Henry Clay, of Kentucky, came forward with a new compromise, which had the effect to change this issue, and make the result of the controversy turn upon a different point. He brought in a resolution for the admission of Missouri into the Union, not in pursuance of the act of 1820, not in obedience to the understanding when it was adopted, and not with her constitution as it had been formed in conformity with that act, but he proposed to admit Missouri into the Union upon a "fundamental condition"; which condition was to be in the nature of a solemn compact between the United States on the one part and the state of Missouri on the other part, and to which "fundamental condition" the state of Missouri was required to declare her assent in the form of "a solemn public act." This joint resolution passed, and was approved March 2, 1821, and is known as Mr. Clay's

Missouri Compromise, in contradistinction to that of 1820, which was introduced into the Senate by Mr. Thomas, of Illinois. In the month of June, 1821, the legislature of Missouri assembled and passed the "solemn public act," and furnished an authenticated copy thereof to the President of the United States, in compliance with Mr. Clay's compromise, or joint resolution. On August 10, 1821, James Monroe, President of the United States, issued his proclamation, in which, after reciting the fact that on the 2d of March, 1821, Congress had passed a joint resolution, "providing for the admission of the state of Missouri into the Union on a certain condition"; and that the general assembly of Missouri, on the 26th of June, having, "by a solemn public act, declared the assent of said state of Missouri to the fundamental condition contained in said joint resolution," and having furnished him with an authenticated copy thereof, he, "*in pursuance of the resolution of Congress aforesaid*," declared the admission of Missouri to be complete.

I do not deem it necessary to discuss the question whether the conditions upon which Missouri was admitted were wise or unwise. It is sufficient for my present purpose to remark, that the "fundamental condition" of her admission related to certain clauses in the constitution of Missouri in respect to the migration of free negroes into that state; clauses similar to those now in force in the

constitutions of Illinois and Indiana, and perhaps other states; clauses similar to the provisions of law in force at that time in many of the old states of the Union; and, I will add, clauses which, in my opinion, Missouri had a right to adopt under the Constitution of the United States. It is no answer to this position to say that those clauses in the constitution of Missouri were in violation of the Constitution. If they did conflict with the Constitution of the United States, they were void; if they were not in conflict, Missouri had a right to put them there, and to pass all laws necessary to carry them into effect. Whether such conflict did exist is a question which, by the Constitution, can only be determined authoritatively by the Supreme Court of the United States. Congress is not the appropriate and competent tribunal to adjudicate and determine questions of conflict between the constitution of a state and that of the United States. Had Missouri been admitted without any condition or restriction she would have had an opportunity of vindicating her constitution and rights in the Supreme Court,—the tribunal created by the Constitution for that purpose.

By the condition imposed on Missouri, Congress not only deprived that State of a right which she believed she possessed under the Constitution of the United States, but denied her the privilege of vindicating that right in

the appropriate and constitutional tribunal, by compelling her, "by a solemn public act," to give an irrevocable pledge never to exercise or claim the right. Therefore, Missouri came in under a humiliating condition,— a condition not imposed by the Constitution of the United States, and which destroys the principle of equality which should exist, and by the Constitution does exist, between all the states of this Union. This in equality results from Mr. Clay's compromise of 1821, and is the principle upon which that compromise was constructed. I own that the act is couched in general terms and vague phrases, and therefore may possibly be so construed as not to deprive the state of any right she might possess under the Constitution. Upon that point I wish only to say, that such a construction makes the "fundamental condition" void, while the opposite construction would demonstrate it to be unconstitutional. I have before me the "solemn public act" of Missouri to this fundamental condition. Whoever will take the trouble to read it will find it the richest specimen of irony and sarcasm that has ever been incorporated into a solemn public act.

Sir, in view of these facts, I desire to call the attention of the senator from New York to a statement in his speech upon which the greater part of his argument rested. His statement was, and it is now being published in every abolition paper, and repeated by the

whole tribe of abolition orators and lecturers, that Missouri was admitted as a slaveholding state, under the act of 1820; while I have shown, by the President's proclamation of August 10, 1821, that she was admitted in pursuance of the resolution of March 2, 1821. Thus it is shown that the material point of his speech is contradicted by the highest evidence,— the record in the case. The same statement, I believe, was made by the senator from Connecticut [Mr. Smith], and the senators from Ohio, [Mr. Chase and Mr. Wade], and the senator from Massachusetts [Mr. Sumner]. Each of these senators made and repeated this statement, and upon the strength of this erroneous assertion called upon us to carry into effect the eighth section of the same act. The material fact upon which their arguments rested being overthrown, of course their conclusions are erroneous and deceptive.

I call on them to correct the erroneous statement in respect to the admission of Missouri, and to make restitution of the consideration by voting for this bill. I repeat, that this is not an immaterial statement. It is the point upon which the abolitionists rest their whole argument. They could not get up a show of pretext against the great principle of self-government involved in this bill if they could not repeat all the time, as the senator from New York did in his speech, that Missouri came into the Union with slavery, in con-

formity to the compact which was made by the act of 1820, and that the South, having received the consideration, is now trying to cheat the North out of her part of the benefits. I have proven that, after abolitionism had gained its point, so far as the eighth section of the act prohibited slavery in the territories, Missouri was denied admission by Northern votes until she entered into a compact by which she was understood to surrender an important right now exercised by several states of the Union.

Mr. President, I did not wish to refer to these things. I did not understand them fully in all their bearings at the time I made my first speech on this subject; and, so far as I was familiar with them, I made as little reference to them as was consistent with my duty; because it was a mortifying reflection to me, as a northern man, that we had not been able, in consequence of the abolition excitement at the time, to avoid the appearance of bad faith in the observance of legislation which has been denominated a compromise. There were a few men then, as there are now, who had the moral courage to perform their duty to the country and the Constitution, regardless of consequences personal to themselves. There were ten northern men who dared to perform their duty by voting to admit Missouri into the Union on an equal footing with the original states, and with no other restriction than that

imposed by the Constitution. I am aware that they were abused and denounced, as we are now; that they were branded as dough-faces, traitors to freedom and to the section of the country whence they came.

The senator from Ohio presented here the other day a resolution—he says unintentionally, and I take it so—declaring that every senator who advocated this bill was a traitor to his country, to humanity, and to God; and even he seemed to be shocked at the results of his own advice when it was exposed. Yet he did not seem to know that it was, in substance, what he had advised in his address, over his own signature, when he called upon the people to assemble in public meetings and thunder forth their indignation at the criminal betrayal of precious rights; when he appealed to ministers of the gospel to desecrate their holy calling, and attempted to inflame passions, and fanaticism, and prejudice against senators who would not consider themselves very highly complimented by being called his equals. And yet, when the natural consequences of his own action and advice come back upon him, and he presents them here, and is called to an account for the indecency of the act, he professes his profound regret and surprise that anything should have occurred which could possibly be deemed unkind or disrespectful to any member of this body! There has not been an argument against the measure every word

of which, in regard to the faith of compacts, is not contradicted by the public records. What I complain of is this:

The people may think that a senator, having the laws and journals before him, to which he could refer, would not make a statement in contravention of those records. They make the people believe these things, and cause them to do great injustice to others, under the delusion that they have been wronged, and their feelings outraged. Sir, this address did, for a time, mislead the whole country. It made the legislature of New York believe that the act of 1820 was a compact which it would be disgraceful to violate; and, acting under that delusion, they framed a series of resolutions, which, if true and just, convict that state of an act of perfidy and treachery unparalleled in the history of free governments. You see, therefore, the consequences of these misstatements. You degrade your own states, and induce the people, under the impression that they have been injured, to get up a violent crusade against those whose fidelity and truthfulness will, in the end, command their respect and admiration. In consequence of arousing passions and prejudices, I am now to be found in effigy, hanging by the neck, in all the towns where you have the influence to produce such a result. In all these excesses the people are yielding to an honest impulse, under the impression that a grievous wrong has been

perpetrated. You have had your day of triumph. You have succeeded in directing upon the heads of others a torrent of insult and calumny from which even you shrink with horror when the fact is exposed that you have become the conduits for conveying it into this hall. In your state, sir [addressing himself to Mr. Chase], I find that I am burnt in effigy in your abolition towns. All this is done because I have proposed, as it is said, to violate a compact! Now, what will those people think of you when they find out that you have stimulated them to these acts, which are disgraceful to your state, disgraceful to your party, and disgraceful to your cause, under a misrepresentation of the facts, which misrepresentation you ought to have been aware of, and should never have been made?

The senator says that he never intended to do me injustice, and he is sorry that the people of his state have acted in the manner to which I have referred. Sir, did he not say in the same document to which I have already alluded, that I was engaged, with others, in "a criminal betrayal of precious rights," in an "atrocious plot"? Did he not say that I and others were guilty of "meditated bad faith"? Are not these his exact words? Did he not say that "servile demagogues" might make the people believe certain things, or attempt to do so? Did he not say everything calculated to produce and bring upon my head all the

insults to which I have been subjected publicly and privately, not even excepting the insulting letters which I have received from his constituents, rejoicing at my domestic bereavements, and praying that other and similar calamities may befall me? All these have resulted from that address. I expected such consequences when I first saw it. In it he called upon the preachers of the gospel to prostitute the sacred desk in stimulating excesses; and then, for fear that the people would not know who it was that was to be insulted and calumniated, he told them, in a postscript, that Mr. Douglas was the author of all this iniquity, and that they ought not to allow their rights to be made the hazard of a presidential game! After having used such language, he says he meant no disrespect, he meant nothing unkind! He was amazed that I said in my opening speech that there was anything offensive in his address; and he could not suffer himself to use harsh epithets, or to impugn a gentleman's motives! No! not he! After having deliberately written all these insults, impugning motive and character, and calling upon our holy religion to sanctify the calumny, he could not think of losing his dignity by bandying epithets, or using harsh and disrespectful terms!

Mr. President, I expected all that has occurred, and more than has come, as the legitimate result of that address. The things to

which I referred are the natural consequences of it. The only revenge I seek is to expose the authors, and leave them to bear, as best they may, the just indignation of an honest community when the people discover how their sympathies and feelings have been outraged by making them the instruments in performing such desperate acts. Sir, even in Boston I have been hung in effigy. I may say that I expected it to occur, even there; for the senator from Massachusetts lives there. He signed his name to that address; and for fear the Boston abolitionists would not know that it was he, he signed it "Charles Sumner, Senator from Massachusetts." The first outrage was in Ohio, where the address was circulated under the signature of "Salmon P. Chase, Senator from Ohio." The next came from Boston,—the same Boston, sir, which, under the direction of the same leaders, closed Faneuil Hall to the immortal Webster in 1850, because of his support of the compromise measures of that year, which all now confess have restored peace and harmony to a distracted country. Yes, sir, even Boston, so glorious in her early history; Boston, around whose name so many historical associations cling to gratify the heart and exalt the pride of every American,—could be led astray by abolition misrepresentations so far as to deny a hearing to her own great man who had shed so much glory upon Massachusetts and her

metropolis! I know that Boston now feels humiliated and degraded by the act. And, sir [addressing himself to Mr. Sumner], you will remember that when you came into the Senate, and sought an opportunity to put forth your abolition incendiarism, you appealed to our sense of justice by the sentiment, "Strike, but hear me first." But when Mr. Webster went back in 1850, to speak to his constituents in his own self-defense, to tell the truth, and to expose his slanderers, you would not hear him, but *you struck first.*

Again, sir, even Boston, with her Faneuil Hall consecrated to liberty, was so far led astray by abolitionism, that when one of her gallant sons, gallant by his own glorious deeds, inheriting an heroic revolutionary name, had given his life to his country upon the bloody field of Buena Vista, and when his remains were brought home, even that Boston, under abolition guidance and abolition preaching, denied him a decent burial, because he lost his life in vindicating his country's honor upon the southern frontier! Even the name of Lincoln, and the deeds of Lincoln, could not secure for him a decent interment, because abolitionism follows a patriot beyond the grave.

Mr. President, with these facts before me, how could I hope to escape the fate which had followed these great and good men? While I had no right to hope that I might be

honored as they had been under abolition auspices, have I not a right to be proud of the distinction and the association? Mr. President, I regret these digressions. I have not been able to follow the line of argument which I had marked out for myself because of the many interruptions. I do not complain of them. It is fair that gentlemen should make them, inasmuch as they have not the opportunity of replying; hence I have yielded the floor, and propose to do so cheerfully whenever any senator intimates that justice to him or his position requires him to say anything in reply.

Returning to the point from which I was diverted.

I think I have shown, that if the act of 1820, called the Missouri Compromise, was a compact, it was violated and repudiated by a solemn vote of the House of Representatives in 1821, within eleven months after it was adopted. It was repudiated by the North by a majority vote; and that repudiation was so complete and successful as to compel Missouri to make a new compromise, and she was brought into the Union under the new compromise of 1821, and not under the act of 1820. This reminds me of another point made in nearly all the speeches against this bill, and if I recollect right, was alluded to in the abolition manifesto; to which, I regret to say, I have had occasion to refer so often. I

refer to the significant hint that Mr. Clay was dead before any one dared to bring forward a proposition to undo the greatest work of his hands. The senator from New York [Mr. Seward] has seized upon this insinuation, and elaborated, perhaps, more fully than his compeers; and now the abolition press suddenly, and as if by miraculous conversion, teems with eulogies upon Mr. Clay and his Missouri Compromise of 1820.

Now, Mr. President, does not each of these senators know that Mr. Clay was not the author of the act of 1820? Do they not know that he disclaimed it in 1850, in this body? Do they not know that the Missouri restriction did not originate in the House, of which he was a member? Do they not know that Mr. Clay never came into the Missouri controversy as a compromiser until after the compromise of 1820 was repudiated, and it became necessary to make another? I dislike to be compelled to repeat what I have conclusively proven, that the compromise which Mr. Clay effected was the act of 1821, under which Missouri came into the Union, and not the act of 1820. Mr. Clay made that compromise after you had repudiated the first one. How, then, dare you call upon the spirit of that great and gallant statesman to sanction your charge of bad faith against the South on this question?

Now, Mr. President, as I have been doing justice to Mr. Clay on this question, perhaps I

may as well do justice to another great man, who was associated with him in carrying through the great measures of 1850, which mortified the senator from New York so much, because they defeated his purpose of carrying on the agitation. I allude to Mr. Webster. The authority of his great name has been quoted for the purpose of proving that he regarded the Missouri act as a compact, an irrepealable compact. Evidently the distinguished senator from Massachusetts [Mr. Everett] supposed he was doing Mr. Webster entire justice when he quoted the passage which he read from Mr. Webster's speech, on the 7th of March, 1850, when he said that he stood upon the position that every part of the American continent was fixed for freedom or for slavery by irrepealable law. The senator says that by the expression "irrepealable law," Mr. Webster meant to include the compromise of 1820. Now, I will show that that was not Mr. Webster's meaning; that he was never guilty of the mistake of saying that the Missouri act of 1820 was an irrepealable law. Mr. Webster said, in that speech, that every foot of territory in the United States was fixed as to its character for freedom or slavery by an irrepealable law. He then inquired if it was not so in regard to Texas? He went on to prove that it was; because, he said, there was a compact in express terms between Texas and the United States. He said the parties were capa-

ble of contracting, and that there was a valuable consideration; and hence, he contended that in that case there was a contract binding honor, and morals, and law; and that was irrepealable without a breach of faith,

He went on to say:

"Now, as to California and New Mexico, I hold slavery to be excluded from those territories by a law even superior to that which admits and sanctions it in Texas; I mean the law of nature, of physical geography, the law and formation of the earth."

That was the irrepealable law which he said prohibited slavery in the territories of Utah and New Mexico. He next went on to speak of the prohibition of slavery in Oregon, and he said it was an "entirely useless, and in that connection senseless, proviso."

He went further, and said:

"That the whole territory of the states in the United States, or in the newly acquired territory of the United States, has a fixed and settled character, now fixed and settled by law, which cannot be repealed in the case of Texas without a violation of public faith, and cannot be repealed by any human power in regard to California or New Mexico; that, *under one or other of these laws*, every foot of territory in the states, or in the territories, has now received a fixed and decided character."

What irrepealable laws? "One or the other" of those which he had stated. One was the Texas compact; the other, the law of nature and physical geography; and he contended that one or the other fixed the character

of the whole American continent for freedom or slavery. He never alluded to the Missouri Compromise, unless it was by the allusion to the Wilmot proviso in the Oregon bill; and there he said it was a useless, and in that connection senseless, thing. Why was it useless and a senseless thing? Because it was re-enacting the law of God; because slavery had already been prohibited by physical geography. Sir, that was the meaning of Mr. Webster's speech. My distinguished friend from Massachusetts [Mr. Everett], when he reads the speech again, will be utterly amazed to see how he fell into such an egregious error as to suppose that Mr. Webster had so far fallen from his high position as to say that the Missouri act of 1820 was an irrepealable law.

. . . . .

Mr. President, I am sorry that I have taken up so much time; but I must notice one or two points more. So much has been said about the Missouri Compromise act, and about a faithful compliance with it by the North, that I must follow the matter a little further. The senator from Ohio [Mr. Wade] has referred to-night to the fact that I went for carrying out the Missouri Compromise in the Texas resolutions in 1845 and in 1848, on several occasions; and he actually proved that I never abandoned it until 1850. He need not have taken the pains to prove that fact; for he got

all his information on the subject from my opening speech upon this bill. I told you then that I was willing, as a northern man, in 1845, when the Texas question arose, to carry the Missouri Compromise line through that state, and in 1848 I offered it as an amendment to the Oregon bill. Although I did not like the principle involved in that act, yet I was willing, for the sake of harmony, to extend to the Pacific, and abide by it in good faith, in order to avoid the slavery agitation. The Missouri Compromise was defeated then by the same class of politicians who are now combined in opposition to the Nebraska bill. It was because we were unable to carry out that compromise that a necessity existed for making a new one in 1850. And then we established this great principle of self-government which lies at the foundation of all our institutions. What does his charge amount to? He charges it, as a matter of offense, that I struggled in 1845 and in 1848 to observe good faith; and he and his associates defeated my purpose, and deprived me of the ability to carry out what he now says is the plighted faith of the nation.

Sir, as I have said, the South were willing to agree to the Missouri Compromise in 1848. When it was proposed by me to the Oregon bill, as an amendment, to extend that line to the Pacific, the South agreed to it. The Senate adopted that proposition, and the House

voted it down. In 1850, after the omnibus bill had broken down, and we proceeded to pass the compromise measures separately, I proposed, when the Utah bill was under discussion, to make a slight variation of the boundary of that territory, so as to include the Mormon settlements, and not with reference to any other question; and it was suggested that we should take the line of 36° 30′. That would have accomplished the local objects of the amendment very well. But when I proposed it, what did these Free-Soilers say? What did the senator from New Hampshire [Mr. Hale], who was then their leader in this body, say? Here are his words:

"Mr. Hale: I wish to say a word as a reason why I shall vote against the amendment. I shall vote against 36° 30′, *because I think there is an implication in it.* I will vote for 37° or 36° either, just as it is convenient; but it is idle to shut our eyes to the fact that here is an attempt in this bill — I will not say it is the intention of the mover — to pledge this Senate and Congress to the imaginary line of 36°30′, because there are some historical recollections connected with it in regard to this controversy about slavery. I will content myself with saying that I never will, by vote or speech, admit or submit to anything that may bind the action of our legislation here to make the parallel 36° 30′ the boundary line between slave and free territory. And when I say that, I explain the reason why I go against the amendment."

These remarks of Mr. Hale were not made on a proposition to extend the Missouri Compromise line to the Pacific, but on a proposition

to fix 36° 30′ as the southern boundary line of Utah, for local reasons. He was against it because there might be, as he said, an implication growing out of historical recollections in favor of an imaginary line between slavery and freedom. Does that look as if his object was to get an implication in favor of preserving sacred this line, in regard to which gentlemen now say there was a solemn compact? That proposition may illustrate what I wish to say in this connection upon a point which has been made by the opponents of this bill as to the effect of an amendment inserted on the motion of the senator from Virginia [Mr. Mason] into the Texas boundary bill. The opponents of this measure rely upon that amendment to show that the Texas compact was preserved by the acts of 1850. I have already shown, in my former speech, that the object of amendment was to guaranty to the state of Texas, with her circumscribed boundaries, the same number of states which she would have had under her larger boundaries, and with the same right to come in with or without slavery, as they pleased. We have been told, over and over again, that there was no such thing intimated in debate as that the country cut off from Texas was to be relieved from the stipulations of that compromise. This has been asserted boldly and unconditionally, as if there could be no doubt about it. The senator from Georgia [Mr. Toombs], in

his speech, showed that in his address to his constituents of that state, he had proclaimed to the world that the object was to establish a principle which would allow the people to decide the question of slavery for themselves, north as well as south of 36° 30′. The line of 36° 30′ was voted down as the boundary of Utah, so that there should not be even an implication in favor of an imaginary line to divide freedom and slavery. Subsequently, when the Texas boundary bill was under consideration, on the next day after the amendment of the senator from Virginia had been adopted, the record says:

"Mr. Sebastian moved to add to the second article the following:

"'On the condition that the territory hereby ceded may be, at the proper time, formed into a state and admitted into the Union, with a constitution with or without the prohibition of slavery therein, as the people of the said territory may at the time determine.'"

Then the senator from Arkansas did propose that the territory cut off should be relieved from that restriction in express terms, and allowed to come in according to the principles of this bill. What was done? The debate continued:

"Mr. Foote: Will my friend allow me to appeal to him to move this amendment when the territorial bill for New Mexico shall be up for consideration? It will certainly be a part of that bill, and I shall then vote for it with pleasure. Now it will only embarrass our action."

Let it be remarked, that no one denied the propriety of the provision. All seemed to acquiesce in the principle; but it was thought better to insert it in the territorial bills, as we are now doing, instead of adding it to the Texas boundary bill. The debate proceeded:

"Mr. Sebastian: My only object in offering the amendment is to secure the assertion of this principle beyond a doubt. The principle was acquiesced in without difficulty in regard to the territorial government established for Utah, a part of this acquired territory, and it is proper, in my opinion, that it should be incorporated in this bill.

"Messrs. Cass, Foote, and others: Oh, withdraw it.

"Mr. Sebastian: I think this is the proper place for it. It is uncertain whether it will be incorporated in the other bill referred to, and the bill itself may not pass."

It will be seen that the debate goes upon the supposition that the effect was to release the country north of 36° 30′ from the obligation of the prohibition; and the only question was, whether the declaration that it should be received into the Union "with or without slavery" should be inserted in the Texas bill or the territorial bill.

The debate was continued, and I will read one or two other passages:

"Mr. Foote: I wish to state to the senator a fact of which, I think, he is not observant at this moment; and that is, that the senator from Virginia has introduced an amendment, which is now a part of the bill, which recognizes the Texas compact of annexation in every respect.

"Mr. Sebastian: I was aware of the effect of the amendment of the senator from Virginia. It is in regard to the number of states to be formed out of Texas, and is referred to only in general terms."

Thus it will be seen that the senator from Arkansas then explained the amendment of the senator from Virginia, which has been adopted, in precisely the same way in which I explained it in my opening speech. The senator from Arkansas continued:

"If this amendment be the same as that offered by the senator from Virginia, there can certainly be no harm in reaffirming it in this bill, to which I think it properly belongs."

Thus it will be seen that nobody disputed that the restriction was to be removed; and the only question was as to the bill in which that declaration should be put. It seems, from the record, that I took part in the debate, and said:

"Mr. Douglas: This boundary, as now fixed, would leave New Mexico bounded on the east by the 103° of longtitude up to 36° 30′, and then east to 100°; and it leaves a narrow neck of land between 36° 30′ and the old boundary of Texas, that would not naturally and properly go to New Mexico when it should become a state. This amendment would compel us to include it in New Mexico, or to form it into another state. When the principle shall come up in the bill for the organization of a territorial government for New Mexico, no doubt the same vote which inserted it in the omnibus bill, and the Utah bill, will insert it there.

"Several senators: No doubt of it."

Upon that debate the amendment of the

senator from Arkansas was voted down, because it was avowed and distinctly understood that the amendment of the senator from Virginia, taken in connection with the remainder of the bill, did release the country ceded by Texas north of 36° 30′ from the restriction; and it was agreed that if we did not put it into the Texas boundary bill it should go into the territorial bill. I stated, as a reason why it should not go into the Texas boundary bill, that if it did it would be a compact, and would compel us to put the whole ceded country into one state, when it might be more convenient and natural to make a different boundary. I pledged myself then that it should be put into the territorial bill; and when we considered the territorial bill for New Mexico we put in the same clause, so far as the country ceded by Texas was embraced within that territory, and it passed in that shape. When it went into the House, they united the two bills together, and thus this clause passed in the same bill, as the senator from Arkansas desired.

Now, sir, have I not shown conclusively that it was the understanding in that debate that the effect was to release the country north of 36° 30′ which formerly belonged to Texas from the operation of that restriction, and to provide that it should come into the Union with or without slavery, as its people should see proper? That being the case, I ask the

senator from Ohio [Mr. Chase] if he ought not to have been cautious when he charged over and over again that there was not a word or a syllable uttered in debate to that effect? Should he not have been cautious when he said that it was a mere afterthought on my part? Should he not have been cautious when he said that even I never dreamed of it up to the 4th of January of this year? Whereas the record shows that I made a speech to that effect during the pendency of the bills of 1850. The same statement was repeated by nearly every senator who followed him in debate in opposition to this bill; and it is now being circulated over the country, published in every abolition paper, read on every stump by every abolition orator, in order to get up a predjudice against me and the measure I have introduced. Those gentlemen should not have dared to utter the statement without knowing whether it was correct or not. These records are troublesome things sometimes. It is not proper for a man to charge another with a mere afterthought because he did not know that he had advocated the same principles before. Because he did not know it, he should not take it for granted that nobody else did. Let me tell the senators that this is a very unsafe rule for them to rely upon. They ought to have had sufficient respect for a brother senator to have believed, when he came forward with an important proposition, that he

had investigated it. They ought to have had sufficient respect for a committee of this body to have assumed that they meant what they said.

When I see such a system of misinterpretation and misrepresentation of views, of laws, of records, of debates, all tending to mislead the public, to excite prejudice, and to propagate error, have I not a right to expose it in very plain terms, without being arraigned for violating the courtesies of the Senate?

Mr. President, frequent reference has been made in debate to the admission of Arkansas as a slave-holding state, as furnishing evidence that the abolitionists and Free-Soilers, who have recently become so much enamored with the Missouri Compromise, have always been faithful to its stipulations and implications. I will show that the reference is unfortunate for them. When Arkansas applied for admission in 1836, objection was made in consequence of the provisions in her constitution in respect to slavery. When the abolitionists and Free-Soilers of that day were arraigned for making that objection, upon the ground that Arkansas was south of 36° 30′, they replied that the act of 1820 was never a compromise, much less a compact, imposing any obligation upon the successors of those who passed the act to pay any more respect to its provisions than to any other enactment of ordinary legislation. I have the debates before me, but will occupy

the attention of the Senate only to read one or two paragraphs. Mr. Hand, of New York, in opposition to the admission of Arkansas as a slave-holding state, said:

"I am aware it will be, as it has already been, contended that by the Missouri Compromise, as it has been preposterously termed, Congress has parted with its right to prohibit the introduction of slavery into the territory south of 36° 30′ north latitude."

He acknowedged that by the Missouri Compromise, as he said it was preposterously termed, the North was estopped from denying the right to hold slaves south of that line; but he added:

"There are, to my mind, insuperable objections to the soundness of that proposition."

Here they are:

"In the first place, there was no compromise or compact whereby Congress surrendered any power, or yielded any jurisdiction; and in the second place, if it had done so, it was a mere legislative act, that could not bind their successors; it would be subject to a repeal at the will of any succeeding Congress."

I give these passages as specimens of the various speeches made in opposition to the admission of Arkansas by the same class of politicians who now oppose the Nebraska bill, upon the ground that it violates a solemn compact. So much for the speeches. Now for the vote. The Journal, which I hold in my hand, shows that forty-nine northern votes were recorded against the admission of Arkansas.

Yet, sirs, in utter disregard—and charity leads me to hope in profound ignorance — of all these facts, gentlemen are boasting that the North always observed the contract, never denied its validity, never wished to violate it; and they have even referred to the cases of the admission of Missouri and Arkansas as instances of their good faith.

Now, is it impossible that gentlemen could suppose these things could be said and distributed in their speeches without exposure? Did they presume that, inasmuch as their lives were devoted to slavery agitation, whatever they did not know about the history of that question did not exist? I am willing to believe, I hope it may be the fact, that they were profoundly ignorant of all these records, all these debates, all these facts, which overthrow every position they have assumed. I wish the senator from Maine [Mr. Fessenden], who delivered his maiden speech here to-night, and who made a great many sly stabs at me, had informed himself upon the subject before he repeated all these groundless assertions. I can excuse him for the reason that he has been here but a few days, and having enlisted under the banner of the abolition confederates, was unwise and simple enough to believe that what they had published could be relied upon as stubborn facts. He may be an innocent victim. I hope he can have the excuse of not having investigated the subject. I am willing

to excuse him on the ground that he did not know what he was talking about, and it is the only excuse which I can make for him. I will say, however, that I do not think he was required, by his loyalty to the abolitionists, to repeat every disreputable insinuation which they made. Why did he throw into his speech that foul innuendo about "a northern man with southern principles," and then quote the senator from Massachusetts [Mr. Sumner] as his authority? Ay, sir, I say the foul insinuation. Did not the senator from Massachusetts, who first dragged it into this debate, wish to have the public understand that I was known as a northern man with southern principles? Was not that the allusion? If it was, he availed himself of a cant phrase in the public mind, in violation of the truth of history. I know of but one man in this country who ever made it a boast that he was "a northern man with southern principles," and *he* [turning to Mr. Sumner] was *your* candidate for the presidency in 1848.

If his sarcasm was intended for Martin Van Buren, it involves a family quarrel, with which I have no disposition to interfere. I will only add that I have been able to discover nothing in the present position or recent history of that distinguished statesman which would lead me to covet the *sobriquet* by which he is known, —"a northern man with southern principles."

Mr. President, the senators from Ohio and

Massachusetts [Mr. Chase and Mr. Sumner] have taken the liberty to impeach my motives in bringing forward this measure. I desire to know by what right they arraign me, or by what authority they impute to me other and different motives than those which I have assigned. I have shown from the record that I advocated and voted for the same principles and provisions in the compromise acts of 1850 which are embraced in this bill. I have proven that I put the same construction upon those measures immediately after their adoption that is given in the report which I submitted this session from the Committee on Territories. I have shown that the legislature of Illinois, at its first session, after those measures were enacted, passed resolutions approving them, and declaring that the same great principle of self-government should be incorporated into all territorial organizations. Yet, sir, in the face of these facts, these senators have the hardihood to declare that this was all an "afterthought" on my part, conceived for the first time during the present session; and that the measure is offered as a bid for presidential votes! Are they incapable of conceiving that an honest man can do a right thing from worthy motives? I must be permitted to tell those senators that their experience in seeking political preferment does not furnish a safe rule by which to judge the character and principles of other senators! I must be per-

mitted to tell the senator from Ohio that I did not obtain my seat in this body either by a corrupt bargain or a dishonorable coalition! I must be permitted to remind the senator from Massachusetts that I did not enter into any combinations or arrangements by which my character, my principles, and my honor were set up at public auction or private sale in order to procure a seat in the Senate of the United States! I did not come into the Senate by any such means!

Mr. President, I have done with these personal matters. I regret the necessity which compelled me to devote so much time to them. All I have done and said has been in the way of self-defense, as the Senate can bear me witness.

Mr. President, I have also occupied a good deal of time in exposing the cant of these gentlemen about the sanctity of the Missouri Compromise, and the dishonor attached to the violation of plighted faith. I have exposed these matters in order to show that the object of these men is to withdraw from public attention the real principle involved in the bill. They well know that the abrogation of the Missouri Compromise is the incident, and not the principle, of the bill. They well understand that the report of the committee and the bill propose to establish the principle in all territorial organizations, that the question of slavery shall be referred to the people to regulate

for themselves, and that such legislation should be had as was necessary to remove all legal obstructions to the free exercise of this right by the people.

The eighth section of the Missouri act, standing in the way of this great principle, must be rendered inoperative and void, whether expressly repealed or not, in order to give the people the power of regulating their own domestic institutions in their own way, subject only to the Constitution.

Now, sir, if these gentlemen have entire confidence in the correctness of their own position, why do they not meet the issue boldly and fairly, and controvert the soundness of this great principle of popular sovereignty in obedience to the Constitution? They know full well that this was the principle upon which the colonies separated from the crown of Great Britain, the principle upon which the battles of the Revolution were fought, and the principle upon which our republican system was founded. They cannot be ignorant of the fact that the Revolution grew out of the assertion of the right on the part of the imperial government to interfere with the internal affairs and domestic concerns of the colonies. In this connection I will invite attention to a few extracts from the instructions of the different colonies to their delegates in the Continental Congress, with a view of forming such a union as would enable them to make successful re-

sistance to the efforts of the crown to destroy the fundamental principle of all free government by interfering with the domestic affairs of the colonies.

I will begin with Pennsylvania, whose devotion to the principles of human liberty, and the obligations of the Constitution, has acquired for her the proud title of the Keystone in the arch of republican states. In her instructions is contained the following reservation:

"Reserving to the people of this colony the sole and exclusive right of regulating the internal government and police of the same."

And, in a subsequent instruction in reference to suppressing the British authority in the colonies, Pennsylvania uses the following emphatic language:

"Unanimously declare our willingness to concur in a vote of the Congress declaring the united colonies free and independent states, provided the forming the government, and regulation of the internal police of this colony be always reserved to the people of the said colony."

Connecticut, in authorizing her delegates to vote for the Declaration of Independence, attached to it the following condition:

"Saving that the administration of government, and the power of forming governments for and the regulation of the internal concerns and police of each colony, ought to be left and remain to the respective colonial legislatures."

New Hampshire annexed this proviso to her

instructions to her delegates to vote for independence.

"Provided the regulation of our internal police be under the direction of our own assembly."

New Jersey imposed the following condition:

"Always observing that, whatever plan of confederacy you enter into, the regulating the internal police of this province is to be reserved to the colonial legislature."

Maryland gave her consent to the Declaration of Independence upon the condition contained in this proviso:

"And that said colony will hold itself bound by the resolutions of a majority of the united colonies in the premises, provided the sole and exclusive right of regulating the internal government and police of that colony be reserved to the people thereof."

Virginia annexed the following condition to her instructions to vote for the Declaration of Independence:

"Provided that the power of forming government for and the regulations of the internal concerns of the colony be left to the respective colonial legislatures."

I will not weary the Senate in multiplying evidences upon this point. It is apparent that the Declaration of Independence had its origin in the violation of that great fundamental principle which secured to the people of the colonies the right to regulate their own domestic affairs in their own way; and that the Revolution resulted in the triumph of that

principle, and the recognition of the right asserted by it. Abolitionism proposes to destroy the right, and extinguish the principle for which our forefathers waged a seven-years' bloody war, and upon which our whole system of free government is founded. They not only deny the application of this principle to the territories, but insist upon fastening the prohibition upon all the states to be formed out of those territories. Therefore, the doctrine of the abolitionists—the doctrine of the opponents of the Nebraska and Kansas bill, and of the advocates of the Missouri restriction—demand congressional interference with slavery, not only in the territories, but in all the new states to be formed therefrom. It is the same doctrine, when applied to the territories and new states of this Union, which the British government attempted to enforce by the sword upon the American colonies. It is this fundamental principle of self-government which constitutes the distinguishing feature of the Nebraska bill. The opponents of the principle are consistent in opposing the bill. I do not blame them for their opposition. I only ask them to meet the issue fairly and openly, by acknowledging that they are opposed to the principle which it is the object of the bill to carry into operation. It seems that there is no power on earth, no intellectual power, no mechanical power, that can bring them to a fair discussion of the true issue. If

they hope to delude the people, and escape detection for any considerable length of time under the catchwords "Missouri Compromise," and "faith of compacts," they will find that the people of this country have more penetration and intelligence than they have given them credit for.

Mr. President, there is an important fact connected with this slavery regulation which should never be lost sight of. It has always arisen from one and the same cause. Whenever that cause has been removed, the agitation has ceased; and whenever the cause has been renewed, the agitation has sprung into existence. That cause is, and ever has been, the attempt on the part of Congress to interfere with the question of slavery in the territories and new states formed therefrom. Is it not wise, then, to confine our action within the sphere of our legitimate duties, and leave this vexed question to take care of itself in each state and territory, according to the wishes of the people thereof, in conformity to the forms and in subjection to the provisions of the Constitution?

The opponents of the bill tell us that agitation is no part of their policy; that their great desire is peace and harmony; and they complain bitterly that I should have disturbed the repose of the country by the introduction of this measure! Let me ask these professed friends of peace, and avowed enemies of agi-

tation, how the issue could have been avoided? They tell me that I should have let the question alone; that is, that I should have left Nebraska unorganized, the people unprotected, and the Indian barrier in existence, until the swelling tide of emigration should burst through, and accomplish by violence what it is the part of wisdom and statesmanship to direct and regulate by law. How long could you have postponed action with safety? How long could you maintain that Indian barrier, and restrain the onward march of civilization, Christianity, and free government by a barbarian wall? Do you suppose that you could keep that vast country a howling wilderness in all time to come, roamed over by hostile savages, cutting off all safe communication between our Atlantic and Pacific possessions? I tell you that the time for action has come, and cannot be postponed. It is a case in which "let-alone" policy would precipitate a crisis which must inevitably result in violence, anarchy, and strife.

You cannot fix bounds to the onward march of this great and growing country. You cannot fetter the limbs of the young giant. He will burst all your chains. He will expand, and grow, and increase, and extend civilization, Christianity, and liberal principles. Then, sir, if you cannot check the growth of the country in that direction, is it not the part of wisdom to look the danger in the face, and provide for an event which you cannot avoid? I tell you sir,

you must provide for continuous lines of settlement from the Mississippi Valley to the Pacific Ocean. And in making this provision, you must decide upon what principles the territories shall be organized; in other words, whether the people shall be allowed to regulate their domestic institutions in their own way, according to the provisions of this bill, or whether the opposite doctrine of congressional interference is to prevail. Postpone it if you will; but whenever you do act, this question must be met and decided.

The Missouri Compromise was interference; the compromise of 1850 was non-interference, leaving the people to exercise their rights under the Constitution. The Committee on Territories were compelled to act on this subject. I, as their chairman, was bound to meet the question. I chose to take the responsibility, regardless of consequences personal to myself. I should have done the same thing last year, if there had been time; but we know, considering the late period at which the bill then reached us from the House, that there was not sufficient time to consider the question fully, and to prepare a report upon the subject. I was, therefore, persuaded by friends to allow the bill to be reported to the Senate, in order that such action might be taken as should be deemed wise and proper. The bill was never taken up for action, the last night of the session having been exhausted in debate on a motion

to take up the bill. This session, the measure was introduced by my friend from Iowa [Mr. Dodge], and referred to the Territorial Committee during the first week of the session. We have abundance of time to consider the subject; it was a matter of pressing necessity, and there was no excuse for not meeting it directly and fairly. We were compelled to take our position upon the doctrine either of intervention or non-intervention. We chose the latter for two reasons: first, because we believed that the principle was right; and second, because it was the principle adopted in 1850, to which the two great political parties of the country were solemnly pledged.

There is another reason why I desire to see this principle recognized as a rule of action in all time to come. It will have the effect to destroy all sectional parties and sectional agitations. If, in the language of the report of the committee, you withdraw the slavery question from the halls of Congress and the political arena, and commit it to the arbitrament of those who are immediately interested in and alone responsible for its consequences, there is nothing left out of which sectional parties can be organized. It never was done, and never can be done, on the bank, tariff, distribution, or any other party issue which has existed, or may exist, after this slavery question is withdrawn from politics. On every other political question these have always supporters and

opponents in every portion of the Union,—in each state, county, village, and neighborhood, —residing together in harmony and good-fellowship, and combating each other's opinions and correcting each other's errors in a spirit of kindness and friendship. These differences of opinion between neighbors and friends, and the discussions that grow out of them, and the sympathy which each feels with the advocates of his own opinions in every other portion of this wide-spread republic, adds an overwhelming and irresistible moral weight to the strength of the confederacy. Affection for the Union can never be alienated or diminished by any other party issues than those which are joined upon sectional or geographical lines. When the people of the North shall all be rallied under one banner, and the whole South marshaled under another banner, and each section excited to frenzy and madness by hostility to the institutions of the other, then the patriot may well tremble for the perpetuity of the Union. Withdraw the slavery question from the political arena, and remove it to the states and territories, each to decide for itself, such a catastrophe can never happen. Then you will never be able to tell, by any senator's vote for or against any measure, from what state or section of the Union he comes.

Why, then, can we not withdraw this vexed question from politics? Why can we not

adopt the principle of this bill as a rule of action in all new territorial organizations? Why can we not deprive these agitators of their vocation, and render it impossible for senators to come here upon bargains on the slavery question? I believe that the peace, the harmony, and perpetuity of the Union require us to go back to the doctrines of the Revolution, to the principles of the Constitution, to the principles of the compromise of 1850, and leave the people, under the Constitution, to do as they may see proper in respect to their own internal affairs.

Mr. President, I have not brought this question forward as a northern man or as a southern man. I am unwilling to recognize such divisions and distinctions. I have brought it forward as an American senator, representing a state which is true to this principle, and which has approved of my action in respect to the Nebraska bill. I have brought it forward not as an act of justice to the South more than to the North. I have presented it especially as an act of justice to the people of those territories, and of the states to be formed therefrom, now and in all time to come. I have nothing to say about northern rights or southern rights. I know of no such divisions or distinctions under the Constitution. The bill does equal and exact justice to the whole Union, and every part of it; it violates the rights of no state or territory; but places each on a per-

fect equality, and leaves the people thereof to the free enjoyment of all their rights under the Constitution.

Now, sir, I wish to say to our southern friends, that if they desire to see this great principle carried out, now is their time to rally around it, to cherish it, to preserve it, make it the rule of action in all future time. If they fail to do it now, and thereby allow the doctrine of interference to prevail, upon their heads the consequences of that interference must rest. To our northern friends, on the other hand, I desire to say, that from this day henceforward, they must rebuke the slander which has been uttered against the South, that they desire to legislate slavery into the territories. The South has vindicated her sincerity, her honor, on that point, by bringing forward a provision negativing, in express terms, any such effect as a result of this bill. I am rejoiced to know that while the proposition to abrogate the eighth section of the Missouri act comes from a free state, the proposition to negative the conclusion that slavery is thereby introduced comes from a slave-holding state. Thus both sides furnish conclusive evidence that they go for the principle, and the principle only, and desire to take no advantage of any possible misconstruction.

Mr. President, I feel that I owe an apology to the Senate for having occupied their attention so long, and a still greater apology for

having discussed the question in such an incoherent and desultory manner. But I could not forbear to claim the right of closing this debate. I thought gentlemen would recognize its propriety when they saw the manner in which I was assailed and misrepresented in the course of this discussion, and especially by assaults still more disreputable in some portions of the country. These assaults have had no other effect upon me than to give me courage and energy for a still more resolute discharge of duty. I say frankly that, in my opinion, this measure will be as popular at the North as at the South when its provisions and principles shall have been fully developed and become well understood. The people at the North are attached to the principles of self-government; and you cannot convince them that that is self-government which deprives a people of the right of legislating for themselves, and compels them to receive laws which are forced upon them by a legislature in which they are not represented. We are willing to stand upon this great principle of self-government everywhere; and it is to us a proud reflection that, in this whole discussion, no friend of the bill has urged an argument in its favor which could not be used with the same propriety in a free state as in a slave state, and *vice versa*. No enemy of the bill has used an argument which would bear repetition one mile across Mason and Dixon's line.

Our opponents have dealt entirely in sectional appeals. The friends of the bill have discussed a great principle of universal application, which can be sustained by the same reasons and the same arguments in every time and in every corner of the Union.

Charles Sumner

(1811–1874)

THE CRIME AGAINST KANSAS

[Delivered May 19 and 20, 1856, in the Senate.]

MR. PRESIDENT:

YOU are now called to redress a great transgression. Seldom in the history of nations has such a question been presented. Tariffs, army bills, navy bills, land bills, are important, and justly occupy your care; but these all belong to the course of ordinary legislation. As means and instruments only, they are necessarily subordinate to the conservation of government itself. Grant them or deny them, in greater or less degree, and you will inflict no shock. The machinery of government will continue to move. The state will not cease to exist. Far otherwise is it with the eminent question now before you, involving, as it does, liberty in a broad territory, and also involving the peace of the whole country, with our good name in history forevermore.

Take down your map, sir, and you will find that the territory of Kansas, more than any other region, occupies the middle spot of North America, equally distant from the

Atlantic on the east and the Pacific on the west; from the frozen waters of Hudson's Bay on the north and the tepid Gulf Stream on the south, constituting the precise territorial center of the vast whole continent. To such advantages of situation, on the very highway between two oceans, are added a soil of unsurpassed richness, and a fascinating, undulating beauty of surface, with a health-giving climate, calculated to nurture a powerful and generous people, worthy to be a central pivot of American institutions. A few short months only have passed since this spacious mediterranean country was opened only to the savage, who ran wild in its woods and prairies; and now it has already drawn to its bosom a population of freemen larger than Athens crowded within her historic gates, when her sons, under Miltiades, won liberty for mankind on the field of Marathon; more than Sparta contained when she ruled Greece, and sent forth her devoted children, quickened by a mother's benediction, to return with their shields or on them; more than Rome gathered on her seven hills when, under her kings, she commenced that sovereign sway which afterwards embraced the whole earth; more than London held when, on the fields of Crecy and Agincourt, the English banner was carried victoriously over the chivalrous hosts of France.

Against this territory, thus fortunate in

position and population, a crime has been committed, which is without example in the records of the past. Not in plundered provinces, or in the cruelties of selfish governors, will you find its parallel; and yet there is an ancient instance, which may show, at least, the path of justice. In the terrible impeachment by which the great Roman orator has blasted, through all time, the name of Verres, amidst charges of robbery and sacrilege, the enormity which most aroused the indignant voice of his accuser, and which still stands forth with strongest distinctness, arresting the sympathetic indignation of all who read the story, is, that, away in Sicily, he had scourged a citizen of Rome,—that the cry, "I am a Roman citizen," had been interposed in vain against the lash of the tyrant governor. Other charges were, that he had carried away productions of art, and that he had violated the sacred shrines. It was in the presence of the Roman senate that this arraignment proceeded; in a temple of the Forum; amidst crowds, such as no orator had ever before drawn together, thronging the porticoes and colonnades, even clinging to the housetops and neighboring slopes, and under the anxious gaze of witnesses summoned from the scene of crime. But an audience grander far, of higher dignity, of more various people and of wider intelligence,—the countless multitude of succeeding generations, in every land

where eloquence has been studied, or where the Roman name has been recognized,—has listened to the accusation, and throbbed with condemnation of the criminal. Sir, speaking in an age of light and in a land of constitutional liberty, where the safeguards of elections are justly placed among the highest triumphs of civilization, I fearlessly assert that the wrongs of much-abused Sicily, thus memorable in history, were small by the side of the wrongs of Kansas, where the very shrines of popular institutions, more sacred than any heathen altar, have been desecrated; where the ballot-box, more precious than any work in ivory or marble from the cunning hand of art, has been plundered; and where the cry, "I am an American citizen," has been interposed in vain against outrage of every kind, even upon life itself. Are you against sacrilege? I present it for your execration. Are you against robbery? I hold it up for your scorn. Are you for the protection of American citizens? I show you how their dearest rights have been cloven down, while a tyrannical usurpation has sought to install itself on their very necks!

But the wickedness which I now begin to expose is immeasurably aggravated by the motive which prompted it. Not in any common lust for power did this uncommon tragedy have its origin. It is the rape of a virgin territory, compelling it to the hateful embrace of

slavery; and it may be clearly traced to a depraved longing for a new slave state, the hideous offspring of such a crime, in the hope of adding to the power of slavery in the national government. Yes, sir, when the whole world, alike Christian and Turk, is rising up to condemn this wrong, and to make it a hissing to the nations, here in our republic, force — ay, sir, *force* — has been openly employed in compelling Kansas to this pollution, and all for the sake of political power. There is the simple fact, which you will vainly attempt to deny, but which in itself presents an essential wickedness that makes other public crimes seem like public virtues.

But this enormity, vast beyond comparison, swells to dimensions of wickedness which the imagination toils in vain to grasp, when it is understood that for this purpose are hazarded the horrors of intestine feud, not only in this distant territory, but everywhere throughout the country. Already the muster has begun. The strife is no longer local, but national. Even now, while I speak, portents hang on all the arches of the horizon, threatening to darken the broad land, which already yawns with the mutterings of civil war. The fury of the propagandists of slavery, and the calm determination of their opponents, are now diffused from the distant territory over widespread communities, and the whole country, in all its extent, marshaling hostile divisions, and

foreshadowing a strife which, unless happily averted by the triumph of freedom, will become war,—fratricidal, parricidal war,—with an accumulated wickedness beyond the wickedness of any war in human annals; justly provoking the avenging judgment of Providence and the avenging pen of history, and constituting a strife, in the language of the ancient writer, more than *foreign*, more than *social*, more than *civil;* but something compounded of all these strifes, and in itself more than war,—*sed potius commune quoddam ex omnibus, et plusquam bellum.*

Such is the crime which you are to judge. But the criminal also must be dragged into day, that you may see and measure the power by which all this wrong is sustained. From no common source could it proceed. In its perpetration was needed a spirit of vaulting ambition which would hesitate at nothing; a hardihood of purpose which was insensible to the judgment of mankind; a madness for slavery, which should disregard the Constitution, the laws, and all the great examples of our history; also a consciousness of power such as comes from the habit of power; a combination of energies found only in a hundred arms directed by a hundred eyes; a control of public opinion, through venal pens and a prostituted press; an ability to subsidize crowds in every vocation of life,—the politician with his local importance, the lawyer with

his subtle tongue, and even the authority of the judge on the bench; and a familiar use of men in places high and low, so that none, from the President to the lowest border postmaster, should decline to be its tool; — all these things and more were needed; and they were found in the slave power of our republic. There, sir, stands the criminal, — all unmasked before you, — heartless, grasping, and tyrannical, with an audacity beyond that of Verres, a subtlety beyond that of Machiavel, a meanness beyond that of Bacon, and an ability beyond that of Hastings. Justice to Kansas can be secured only by the prostration of this influence; for this is the power behind — greater than any President — which succors and sustains the crime. Nay, the proceedings I now arraign derive their fearful consequence only from this connection.

In now opening this great matter, I am not insensible to the austere demands of the occasion; but the dependence of the crime against Kansas upon the slave power is so peculiar and important, that I trust to be pardoned while I impress it by an illustration which to some may seem trivial. It is related in northern mythology, that the god of force, visiting an enchanted region, was challenged by his royal entertainer to what seemed a humble feat of strength, — merely, sir, to lift a cat from the ground. The god smiled at the challenge, and, calmly placing his hand under the belly of

the animal, with superhuman strength, strove, while the back of the feline monster arched far upwards, even beyond reach, and one paw actually forsook the earth, until at last the discomfited divinity desisted; but he was little surprised at his defeat when he learned that this creature, which seemed to be a cat, and nothing more, was not merely a cat, but that it belonged to and was a part of the great Terrestrial Serpent which, in its innumerable folds, encircled the whole globe. Even so the creature whose paws are now fastened upon Kansas, whatever it may seem to be, constitutes in reality a part of the slave power which, with loathsome folds, is now coiled about the whole land. Thus do I expose the extent of the present contest, where we encounter not merely local resistance, but also the unconquered sustaining arm behind. But out of the vastness of the crime attempted, with all its woe and shame, I derive a well-founded assurance of a commensurate vastness of effort against it, by the aroused masses of the country, determined not only to vindicate right against wrong, but to redeem the republic from the thraldom of that oligarchy which prompts, directs, and concentrates the distant wrong.

Such is the crime, and such the criminal, which it is my duty in this debate to expose; and, by the blessing of God, this duty shall be done completely to the end.

. . . . .

It belongs to me, in the first place, to expose the crime against Kansas, in its origin and extent. Logically, this is the beginning of the argument. I say crime, and deliberately adopt this strongest term, as better than any other denoting the consummate transgression. I would go further if language could further go. It is the *crime of crimes*, surpassing far the old *crimen majestatis*, pursued with vengeance by the laws of Rome, and containing all other crimes, as the greater contains the less. I do not go too far when I call it the *crime against nature*, from which the soul recoils, and which language refuses to describe. To lay bare this enormity, I now proceed. The whole subject has already become a twice-told tale, and its renewed recital will be a renewal of its sorrow and shame; but I shall not hesitate to enter upon it. The occasion requires it from the beginning.

It has been well remarked by a distinguished historian of our country, that at the Ithuriel touch of the Missouri discussion the slave interest, hitherto harldy recognized as a distinct element in our system, started up portentous and dilated, with threats and assumptions, which are the origin of our existing national politics. This was in 1820. The discussion ended with the admission of Missouri as a slave-holding state, and the prohibition of slavery in all the remaining territory west of the Mississippi, and north

of 36° 30′, leaving the condition of other territory south of this line, or subsequently acquired, untouched by the arrangement. Here was a solemn act of legislation, called at the time a compromise, a covenant, a compact, first brought forward in this body by a slave-holder, vindicated by slave-holders in debate, finally sanctioned by slave-holding votes, also upheld at the time by the essential approbation of a slave-holding President, James Monroe, and his Cabinet, of whom a majority were slave-holders, including Mr. Calhoun himself; and this compromise was made the condition of the admission of Missouri, without which that state could not have been received into the Union. The bargain was simple, and was applicable, of course, only to the territory named. Leaving all other territory to await the judgment of another generation, the South said to the North, conquer your prejudices so far as to admit Missouri as a slave state, and, in consideration of this much coveted boon, slavery shall be prohibited forever in all the remaining Louisiana territory above 36° 30′; and the North yielded.

In total disregard of history, the President, in his annual message, has told us that this compromise "was *reluctantly* acquiesced in by the southern States." Just the contrary is true. It was the work of slave-holders, and was crowded by their concurring votes upon a

reluctant North. At the time it was hailed by slave-holders as a victory. Charles Pinckney, of South Carolina, in an oft-quoted letter, written at three o'clock on the night of its passage, says, "It is considered here by the slave-holding states as a great triumph." At the North it was accepted as a defeat, and the friends of freedom everywhere throughout the country bowed their heads with mortification. But little did they know the completeness of their disaster. Little did they dream that the prohibition of slavery in the territory, which was stipulated as the price of their fatal capitulation, would also at the very moment of its maturity be wrested from them.

Time passed, and it became necessary to provide for this territory an organized government. Suddenly, without notice in the public press or the prayer of a single petition, or one word of open recommendation from the President; after an acquiescence of thirty-three years, and the irreclaimable possession by the South of its special share under this compromise; in violation of every obligation of honor, compact, and good neighborhood; and in contemptuous disregard of the out-gushing sentiments of an aroused North,—this time-honored prohibition, in itself a landmark of freedom, was overturned, and the vast region now known as Kansas and Nebraska was opened to slavery. It was natural that a measure thus repugnant in character should be pressed by

arguments mutually repugnant. It was urged on two principal reasons, so opposite and inconsistent as to slap each other in the face; one being that, by the repeal of the prohibition, the territory would be left open to the entry of slave-holders with their slaves, without hindrance; and the other being, that the people would be left absolutely free to determine the question for themselves, and to prohibit the entry of slave-holders with their slaves, if they should think best. With some, the apology was the alleged rights of slave-holders; with others, it was the alleged rights of the people. With some, it was openly the extension of slavery; and with others, it was openly the establishment of freedom, under the guise of popular sovereignty. Of course the measure, thus upheld in defiance of reason, was carried through Congress in defiance of all the securities of legislation; and I mention these things that you may see in what foulness the present crime was engendered.

It was carried, first, by *whipping in* to its support, through executive influence and patronage, men who acted against their own declared judgment, and the known will of their constituents; secondly, by *foisting out of place*, both in the Senate and House of Representatives, important business, long pending, and usurping its room; thirdly, by *trampling under foot* the rules of the House of Representatives, always before the safeguard of the

minority; and fourthly, by *driving it to a close* during the very session in which it originated, so that it might not be arrested by the indignant voice of the people. Such are some of the means by which this snap judgment was obtained. If the clear will of the people had not been disregarded it could not have passed. If the government had not nefariously interposed its influence it could not have passed. If it had been left to its natural place in the order of business it could not have passed. If the rules of the House and the rights of the minority had not been violated it could not have passed. If it had been allowed to go over to another Congress, when the people might be heard, it would have been ended; and then the crime we now deplore would have been without its first seminal life.

Mr. President, I mean to keep absolutely within the limits of parliamentary propriety. I make no personal imputations; but only with frankness, such as belongs to the occasion and my own character, describe a great historical act, which is now enrolled in the capitol. Sir, the Nebraska bill was in every respect a swindle. It was a swindle by the South of the North. It was, on the part of those who had already completely enjoyed their share of the Missouri Compromise, a swindle of those whose share was yet absolutely untouched; and the plea of unconstitutionality set up, like the plea of usury after the borrowed money has

been enjoyed, did not make it less a swindle. Urged as a bill of peace, it was a swindle of the whole country. Urged as opening the doors to slave-masters with their slaves, it was a swindle of the asserted doctrine of popular sovereignty. Urged as sanctioning popular sovereignty, it was a swindle of the asserted rights of slave-masters. It was a swindle of a broad territory, thus cheated of protection against slavery. It was a swindle of a great cause, early espoused by Washington, Franklin, and Jefferson, surrounded by the best fathers of the republic. Sir, it was a swindle of God-given inalienable rights. Turn it over, look at it on all sides, and it is everywhere a swindle; and if the word I now employ has not the authority of classical usage, it has, on this occasion, the indubitable authority of fitness. No other word will adequately express the mingled meanness and wickedness of the cheat.

Its character was still further apparent in the general structure of the bill. Amidst overflowing professions of regard for the sovereignty of the people in the territory, they were despoiled of every essential privilege of sovereignty. They were not allowed to choose their governor, secretary, chief justice, associate justices, attorney, or marshal, — all of whom are sent from Washington; nor were they allowed to regulate the salaries of any of these functionaries, or the daily allowance

of the legislative body, or even the pay of the clerks and doorkeepers; but they were left free to adopt slavery. And this was called popular sovereignty! Time does not allow, nor does the occasion require, that I should stop to dwell on this transparent device to cover a transcendent wrong. Suffice it to say, that slavery is in itself an arrogant denial of human rights, and by no human reason can the power to establish such a wrong be placed among the attributes of any just sovereignty. In refusing it such a place, I do not deny popular rights, but uphold them; I do not restrain popular rights, but extend them. And, sir, to this conclusion you must yet come, unless deaf, not only to the admonitions of political justice, but also to the genius of our own Constitution, under which, when properly interpreted, no valid claim for slavery can be set up anywhere in the national territory. The senator from Michigan [Mr. Cass] may say, in response to the senator from Mississippi [Mr. Brown], that slavery cannot go into the territory, under the Constitution, without legislative introduction; and permit me to add, in response to both, that slavery cannot go there at all. *Nothing can come out of nothing;* and there is absolutely nothing in the Constitution out of which slavery can be derived, while there are provisions which, when properly interpreted, make its existence any-

where within the exclusive national jurisdiction impossible.

The offensive provision in the bill was in its form a legislative anomaly, utterly wanting the natural directness and simplicity of an honest transaction. It did not undertake openly to repeal the old prohibition of slavery, but seemed to mince the matter, as if conscious of the swindle. It is said that this prohibition, "being inconsistent with the principle of non-intervention by Congress with slavery in the states and territories as recognized by the legislation of 1850, commonly called the 'compromise measures,' is hereby declared inoperative and void." Thus, with insidious ostentation, was it pretended that an act violating the greatest compromise of our legislative history, and setting loose the foundations of all compromise, was derived out of a compromise. Then followed in the bill the further declaration, which is entirely without precedent, and which has been aptly called "a stump speech in its belly," namely, "it being the true intent and meaning of this act not to legislate slavery into any territory or state, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States." Here were smooth words, such as belong to a cunning tongue, enlisted in a bad cause. But,

whatever may have been their various hidden meanings, this at least was evident, that, by their effect the congressional prohibition of slavery, which had always been regarded as a sevenfold shield covering the whole Louisiana territory north of 36° 30′, was now removed, while a principle was declared which would render the supplementary prohibition of slavery in Minnesota, Oregon, and Washington, "inoperative and void," and thus open to slavery all these vast regions, now the rude cradles of mighty states. Here you see the magnitude of the mischief contemplated. But my purpose now is with the crime against Kansas, and I shall not stop to expose the conspiracy beyond.

Mr. President, men are wisely presumed to intend the natural consequences of their conduct, and to seek what their acts seem to promote. Now, the Nebraska Bill, on its very face, openly cleared the way for slavery, and it is not wrong to presume that its originators intended the natural consequences of such an act, and sought in this way to extend slavery. Of course they did. And this is the first stage in the crime against Kansas. But this was speedily followed by other developments. The barefaced scheme was soon whispered, that Kansas must be a slave state. In conformity with this idea was the government of this unhappy territory organized in all its departments; and thus did the President,

by whose complicity the prohibition of slavery had been overthrown, lend himself to a new complicity, giving to the conspirators a lease of connivance amounting even to copartnership. The governor, secretary, chief justice, associate justices, attorney, and marshal, with a whole caucus of other stipendiaries, nominated by the President and confirmed by the Senate, were all commended as friendly to slavery. No man with the sentiments of Washington or Jefferson or Franklin found any favor; nor is it too much to say that, had these great patriots once more come among us, not one of them, with his recorded, unretracted opinions on slavery, could have been nominated by the President or confirmed by the Senate for any post in that territory. With such auspices the conspiracy proceeded. Even in advance of the Nebraska bill secret societies were organized in Missouri, ostensibly to protect her institutions; and afterwards, under the name of "Self-Defensive Associations," and of "Blue Lodges," these were multiplied throughout the western counties of that state, *before any counter-movement from the North.* It was confidently anticipated that, by the activity of these societies, and the interest of slaveholders everywhere, with the advantage derived from the neighborhood of Missouri, and the influence of territorial government, slavery might be introduced into Kansas, quietly but surely, without arousing a conflict; that the

crocodile egg might be stealthily dropped in the sunburnt soil, there to be hatched unobserved until it sent forth its reptile monster.

But the conspiracy was unexpectedly balked. The debate, which convulsed Congress, had stirred the whole country. Attention from all sides was directed upon Kansas, which at once became the favorite goal of emigration. The bill had loudly declared that its object was "to leave the people perfectly free to form and regulate their domestic institution in their own way"; and its supporters everywhere challenged the determination of the question between freedom and slavery by a competition of emigration. Thus, while opening the territory to slavery, the bill also opened it to emigrants from every quarter, who might by their votes redress the wrong. The populous North, stung by a sharp sense of outrage, and inspired by a noble cause, poured into the debatable land, and promised soon to establish a supremacy of numbers there, involving, of course, a just supremacy of freedom. Then was conceived the consummation of the crime against Kansas. What could not be accomplished peaceably was to be accomplished forcibly. The reptile monster that could not be quietly and securely hatched there was to be pushed full-grown into the territory. All efforts were now given to the dismal work of forcing slavery on free soil. In flagrant derogation of the very popular sovereignty whose

name helped to impose this bill upon the country, the atrocious object was now distinctly avowed. And the avowal has been followed by the act. Slavery has been forcibly introduced into Kansas, and placed under the formal safeguards of pretended law. How this was done belongs to the argument.

In depicting this consummation, the simplest outline, without one word of color, will be best. Whether regarded in its mass or its details, in its origin or its result, it is all blackness, illumined by nothing from itself, but only by the heroism of the undaunted men and women whom it environed. A plain statement of facts will be a picture of fearful truth, which faithful history will preserve in its darkest gallery. In the foreground all will recognize a familiar character, in himself a connecting link between the President and the border ruffian,—less conspicuous for ability than for the exalted place he has occupied,—who once sat in the seat where you now sit, sir; where once sat John Adams and Thomas Jefferson; also, where once sat Aaron Burr. I need not add the name of David R. Atchison. You have not forgotten that, at the session of Congress immediately succeeding the Nebraska bill, he came tardily to his duty here, and then, after a short time, disappeared. The secret has been long since disclosed. Like Catiline, he stalked into this chamber, reeking with conspiracy, *immo in Senatum*

venit—and then, like Catiline, he skulked away, —*abiit, excessit, evasit, erupit,*—to join and provoke the conspirators, who at a distance awaited their congenial chief. Under the influence of his malign presence the crime ripened to its fatal fruits, while the similitude with Catiline was again renewed in the sympathy, not even concealed, which he found in the very Senate itself, where, beyond even the Roman example, a senator has not hesitated to appear as his open compurgator.

And now, as I proceed to show the way in which this territory was overrun and finally subjugated to slavery, I desire to remove in advance all question with regard to the authority on which I rely. The evidence is secondary; but it is the best which, in the nature of the case, can be had, and it is not less clear, direct, and peremptory than any by which we are assured of the campaigns in the Crimea or the fall of Sevastopol. In its manifold mass, I confidently assert that it is such a body of evidence as the human mind is not able to resist. It is found in the concurring reports of the public press; in the letters of correspondents; in the testimony of travelers; and in the unaffected story to which I have listened from leading citizens, who, during this winter, have "come flocking" here from that distant territory. It breaks forth in the irrepressible outcry reaching us from Kansas, in truthful tones, which leave no ground of mistake. It

addresses us in formal complaints, instinct with the indignation of a people determined to be free, and unimpeachable as the declarations of a murdered man on his dying bed against his murderer. And let me add, that all this testimony finds an echo in the very statute book of the conspirators, and also in language dropped from the President of the United States.

I begin with an admission from the President himself, in whose sight the people of Kansas have little favor. And yet, after arraigning the innocent emigrants from the North, he was constrained to declare that their conduct was "far from justifying the *illegal* and *reprehensible* counter-movement which ensued." Then, by the reluctant admission of the chief magistrate, there was a counter-movement, at once *illegal* and *reprehensible*. I thank thee, President, for teaching me these words; and I now put them in the front of this exposition, as in themselves a confession. Sir, this "illegal and reprehensible counter-movement" is none other than the dreadful crime—under an apologetic *alias*—by which, through successive invasions, slavery has been forcibly planted in this territory.

Next to this Presidential admission must be placed the details of the invasions which I now present as not only "illegal and reprehensible," but also unquestionable evidence of the resulting crime.

The violence, for some time threatened,

broke forth on the 29th November, 1854, at the first election of a delegate to Congress, when companies from Missouri, amounting to upwards of one thousand, crossed into Kansas, and, with force and arms, proceeded to vote for Mr. Whitfield, the candidate of slavery. An eye-witness, General Pomeroy, of superior intelligence and perfect integrity, thus describes this scene:

"The first ballot-box that was opened upon our virgin soil was closed to us by overpowering numbers and impending force. So bold and reckless were our invaders, that they cared not to conceal their attack. They came upon us, not in the guise of voters, to steal away our franchise, but boldly and openly, to snatch it with a strong hand. They came directly from their own homes, and in compact and organized bands, with arms in hand, and provisions for the expedition, marched to our polls, and when their work was done, returned whence they came."

Here was an outrage at which the coolest blood of patriotism boils. Though, for various reasons unnecessary to develop, the busy settlers allowed the election to pass uncontested, still the means employed were none the less "illegal and reprehensible."

This infliction was a significant prelude to the grand invasion of the 30th March, 1855, at the election of the first territorial legislature under the organic law, when an armed multitude from Missouri entered the territory, in larger numbers than General Taylor commanded at Buena Vista, or than General Jack-

son had within his lines at New Orleans; larger far than our fathers rallied on Bunker Hill. On they came, as an "army with banners," organized in companies, with officers, munitions, tents, and provisions, as though marching upon a foreign foe, and breathing loud-mouthed threats that they would carry their purpose, if need be, by the bowie-knife and revolver. Among them, according to his own confession, was David R. Atchison, belted with the vulgar arms of his vulgar comrades. Arrived at their several destinations on the night before the election, the invaders pitched their tents, placed their sentries, and waited for the coming day. The same trustworthy eye-witness whom I have already quoted says of one locality:

"Baggage-wagons were there, with arms and ammunition enough for a protracted fight, and among them two brass field-pieces, ready charged. They came with drums beating and flags flying, and their leaders were of the most prominent and conspicuous men of their state."

Of another locality he says:

"The invaders came together in one armed and organized body, with trains of fifty wagons, besides horsemen, and the night before election pitched their camp in the vicinity of the polls; and having appointed their own judges in place of those who, from intimidation or otherwise, failed to attend, they voted without any proof of residence."

With force they were able, on the succeeding day, in some places, to intimidate the

judges of elections; in others, to substitute judges of their own appointment; in others, to wrest the ballot-boxes from their rightful possessors, and everywhere to exercise a complete control of the election, and thus, by a preternatural audacity of usurpation, impose a legislature upon the free people of Kansas. Thus was conquered the Sevastopol of that territory! But it was not enough to secure the legislature. The election of a member of Congress recurred on the 2d October, 1855, and the same foreigners, who had learned their strength, again manifested it. Another invasion, in controlling numbers, came from Missouri, and once more forcibly exercised the electoral franchise in Kansas.

At last, in the latter days of November, 1855, a storm, long brewing, burst upon the heads of the devoted people. The ballot-boxes had been violated, and a legislature installed which had proceeded to carry out the conspiracy of the invaders; but the good people of the territory, born to freedom and educated as American citizens, showed no signs of submission. Slavery, though recognized by pretended law, was in many places practically an outlaw. To the lawless borderers this was hard to bear; and, like the heathen of old, they raged, particularly against the town of Lawrence, already known, by the firmness of its principles and the character of its citizens, as

the citadel of the good cause. On this account they threatened, in their peculiar language, to "wipe it out." Soon the hostile power was gathered for this purpose. The wickedness of this invasion was enhanced by the way in which it began. A citizen of Kansas, by the name of Dow, was murdered by one of the partisans of slavery, under the name of "law and order." Such an outrage naturally aroused indignation and provoked threats. The professors of "law and order" allowed the murderer to escape; and, still further to illustrate the irony of the name they assumed, seized the friend of the murdered man, whose few neighbors soon rallied for his rescue. This transaction, though totally disregarded in its chief front of wickedness, became the excuse for unprecedented excitement. The weak governor, with no faculty higher than servility to slavery,—whom the President, in his official delinquency, had appointed to a trust worthy only of a well-balanced character,—was frightened from his propriety. By proclamation he invoked the territory. By telegraph he invoked the President. The territory would not respond to his senseless appeal. The President was dumb; but the proclamation was circulated throughout the border counties of Missouri; and Platte, Clay, Carlisle, Sabine, Howard, and Jefferson, each of them contributed a volunteer company, recruited from the roadsides, and armed with weapons which

chance afforded,—known as the "shot-gun militia,"—with a Missouri officer as commissary-general, dispensing rations, and another Missouri officer as general-in-chief; with two wagon-loads of rifles, belonging to Missouri, drawn by six mules from its arsenal at Jefferson City; with seven pieces of cannon, belonging to the United States, from its arsenal at Liberty; and this formidable force, amounting to at least eighteen hundred men, terrible with threats, with oath, and with whisky, crossed the borders, and encamped in larger part at Wacherusa, over against the doomed town of Lawrence, which was now threatened with destruction. With these invaders was the governor, who by this act levied war upon the people he was sent to protect. In camp with him was the original Catiline of the conspiracy, while by his side was the docile chief justice and the docile judges. But this is not the first instance in which an unjust governor has found tools where he ought to have found justice. In the great impeachment of Warren Hastings, the British orator by whom it was conducted, exclaims, in words strictly applicable to the misdeed I now arraign, "Had he not the chief justice, the tamed and domesticated chief justice, who waited on him like a familiar spirit?" Thus was this invasion countenanced by those who should have stood in the breach against it. For more than a week it continued, while deadly conflict seemed im-

minent. I do not dwell on the heroism by which it was encountered, or the mean retreat to which it was compelled; for that is not necessary to exhibit the crime which you are to judge.

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Five several times, and more, have these invaders entered Kansas in armed array; and thus five several times, and more, have they trampled upon the organic law of the territory. But these extraordinary expeditions are simply the extraordinary witnesses to successive uninterrupted violence. They stand out conspicuous, but not alone. The spirit of evil, in which they had their origin, was wakeful and incessant. From the beginning it hung upon the skirts of this interesting territory, harrowing its peace, disturbing its prosperity, and keeping its inhabitants under the painful alarms of war. Thus was all security of person, of property, and of labor overthrown. And when I urge this incontrovertible fact, I set forth a wrong which is small only by the side of the giant wrong for the consummation of which all this was done. Sir, what is man, what is government, without security,— in the absence of which, nor man nor government can proceed in development, or enjoy the fruits of existence? Without security civilization is cramped and dwarfed. Without security there can be no true freedom. Nor shall I say too much when

I declare that security, guarded, of course, by its offspring freedom, is the true end and aim of government. Of this indispensable boon the people of Kansas have thus far been despoiled, absolutely, totally. All this is aggravated by the nature of their pursuits, rendering them peculiarly sensitive to interruption, and, at the same time, attesting their innocence. They are for the most part engaged in the cultivation of the soil, which from time immemorial has been the sweet employment of undisturbed industry. Contented in the returns of bounteous nature and the shade of his own trees, the husbandman is not aggressive; accustomed to produce, and not to destroy, he is essentially peaceful unless his home is invaded, when his arm derives vigor from the soil he treads, and his soul inspiration from the heavens beneath whose canopy he daily toils. And such are the people of Kansas, whose security has been overthrown. Scenes from which civilization averts her countenance have been a part of their daily life. The border incursions, which, in barbarous ages or barbarous lands, have fretted and "harried" an exposed people, have been here renewed, with this peculiarity, that our border robbers do not simply levy blackmail and drive off a few cattle, like those who acted under the inspiration of the Douglas of other days; that they do not seize a few persons, and sweep them away into captivity, like the

African slave-traders whom we brand as pirates; but that they commit a succession of acts, in which all border sorrows and all African wrongs are revived together on American soil, and which, for the time being, annuls all protection of all kinds, and enslaves the whole territory.

Private griefs mingle their poignancy with public wrongs. I do not dwell on the anxieties which families have undergone, exposed to sudden assault, and obliged to lie down to rest with the alarms of war ringing in their ears, not knowing that another day might be spared to them. Throughout this bitter winter, with the thermometer at thirty degrees below zero, the citizens of Lawrence have been constrained to sleep under arms, with sentinels treading their constant watch against surprise. But our souls are wrung by individual instances. In vain do we condemn the cruelties of another age, the refinements of torture to which men have been doomed, the rack and thumb-screw of the Inquisition, the last agonies of the regicide Ravaillac, "Luke's iron crown, and Damien's bed of steel"; for kindred outrages have disgraced these borders. Murder has stalked, assassination has skulked, in the tall grass of the prairie, and the vindictiveness of man has assumed unwonted forms. A preacher of the Gospel of the Saviour has been ridden on a rail, and then thrown into the Missouri, fastened to a log, and left to drift

down its muddy, tortuous current. And lately we have had the tidings of that enormity without precedent,—a deed without a name,—where a candidate for the legislature was most brutually gashed with knives and hatchets, and then, after weltering in blood on the snow-clad earth, was trundled along with gaping wounds to fall dead in the face of his wife. It is common to drop a tear of sympathy over the trembling solicitudes of our early fathers, exposed to the stealthy assault of the savage foe; and an eminent American artist has pictured this scene, in a marble group of rare beauty, on the front of the national capitol, where the uplifted tomahawk is arrested by the strong arm and generous countenance of the pioneer, while his wife and children find shelter at his feet; but now the tear must be dropped over the trembling solicitudes of fellow-citizens seeking to build a new state in Kansas, and exposed to the perpetual assault of murderous robbers from Missouri. Hirelings, picked from the drunken spew and vomit of an uneasy civilization, in the form of men,

"Ay, in the catalogue ye go for men;
As hounds and greyhounds, mongrels, spaniels, curs,
Shoughs, water-rugs, and demi-wolves, are called
All by the name of dogs";

leashed together by secret signs and lodges, have renewed the incredible atrocities of the assassins and of the thugs; showing the blind

submission of the assassins to the Old Man of the Mountain, in robbing Christians on the road to Jerusalem, and showing the heartlessness of the thugs, who, avowing that murder was their religion, waylaid travelers on the great road from Agra to Delhi; with the more deadly bowie-knife for the dagger of the assassin, and the more deadly revolver for the noose of the thug.

In these invasions, attended by the entire subversion of all security in this territory, with the plunder of the ballot-box and the pollution of the electoral franchise, I show simply the process in unprecedented crime. If that be the best government where an injury to a single citizen is resented as an injury to the whole state, then must our government forfeit all claim to any such eminence while it leaves its citizens thus exposed. In the outrage upon the ballot-box, even without the illicit fruits which I shall soon exhibit, there is a peculiar crime of the deepest dye, though subordinate to the final crime, which should be promply avenged. In countries where royalty is upheld, it is a special offense to rob the crown jewels, which are the emblems of that sovereignty before which the loyal subject bows, and it is treason to be found in adultery with the queen, for in this way may a false heir be imposed upon the state; but in our republic the ballot-box is the single priceless jewel of that sovereignty which we respect, and the

electoral franchise, out of which are born the rulers of a free people, is the queen whom we are to guard against pollution. In this plain presentment, whether as regards security, or as regards elections, there is enough, surely, without proceeding further, to justify the intervention of Congress, most promptly and completely, to throw over this oppressed people the impenetrable shield of the Constitution and laws. But the half is not yet told.

As every point in a widespread horizon radiates from a common center, so everything said or done in the vast circle of crime radiates from the one idea, that Kansas, at all hazards, must be made a slave state. In all the manifold wickednesses that have occurred, and in every successive invasion, this one idea, has been ever present, as the Satanic tempter, the motive power, the causing cause.

To accomplish this result, three things were attempted: first, by outrages of all kinds to drive the friends of freedom already there out of the territory; secondly, to deter others from coming; and thirdly, to obtain the complete control of the government. The process of driving out, and also of deterring, has failed. On the contrary, the friends of freedom there became more fixed in their resolves to stay and fight the battle which they had never sought, but from which they disdained to retreat; while the friends of freedom else-

where were more aroused to the duty of timely succors, by men and munitions of just self-defense.

But while defeated in the first two processes proposed, the conspirators succeeded in the last. By the violence already portrayed at the election of the 30th March, when the polls were occupied by the armed hordes from Missouri, they imposed a legislature upon the territory, and thus, under the iron mask of law, established a usurpation not less complete than any in history.

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The usurping legislature assembled at the appointed place in the interior, and then, at once, in opposition to the veto of the governor, by a majority of two thirds, removed to the Shawnee Mission, a place in most convenient proximity to the Missouri borderers, by whom it had been constituted, and whose tyrannical agent it was. The statutes of Missouri, in all their text, with their divisions and subdivisions, were adopted bodily, and with such little local adaptation that the word "state" in the original is not even changed to "territory," but is left to be corrected by an explanatory act. But all this general legislation was entirely subordinate to the special act entitled "An act to punish offenses against slave property," in which the one idea that provoked this whole conspiracy is, at last, embodied in legislative form, and human slav-

ery openly recognized on free soil under the sanction of pretended law. This act of thirteen sections is in itself a "Dance of Death." But its complex completeness of wickedness, without a parallel, may be partially conceived when it is understood that in three sections only of it is the penalty of death denounced no less than forty-eight different times, by as many changes of language, against the heinous offense, described in forty-eight different ways, of interfering with what does not exist in that territory, and under the Constitution cannot exist there, — I mean property in human flesh. Thus is liberty sacrificed to slavery, and death summoned to sit at the gates as guardian of the wrong.

But the work of usurpation was not perfected even yet. It had already cost too much to be left at any hazard.

> "To be thus was nothing;
> But to be safely thus!"

Such was the object. And this could not be except by the entire prostration of all the safeguards of human rights. The liberty of speech, which is the very breath of a republic; the press, which is the terror of wrong-doers; the bar, through which the oppressed beards the arrogance of law; the jury, by which right is vindicated; all these must be struck down, while officers are provided, in all places, ready to be the tools of this tyranny; and then, to obtain final assurance that their crime was

secure, the whole usurpation, stretching over the territory, must be fastened and riveted by legislative bolts, spikes, and screws, *so as to defy all effort at change through the ordinary forms of law*. To this work, in its various parts, were bent the subtlest energies; and never, from Tubal Cain to this hour, was any fabric forged with more desperate skill and completeness.

Mark, sir, three different legislative enactments which constitute part of this work. First, according to one act, all who deny, by spoken or written word, "the right of persons to hold slaves in this territory," are denounced as felons, to be punished by imprisonment at hard labor, for a term not less than two years; it may be for life. And to show the extravagance of this injustice, it has been well put by the senator from Vermont [Mr. Collamer], that should the senator from Michigan [Mr. Cass], who believes that slavery cannot exist in a territory unless introduced by express legislative acts, venture there with his moderate opinions, his doom must be that of a felon! To this extent are the great liberties of speech and of the press subverted. Secondly, by another act, entitled, "An Act concerning Attorneys-at-Law," no person can practice as an attorney unless he *shall obtain a license* from the territorial courts, which, of course, a tyrannical discretion will be free to deny; and after obtaining such license, he is constrained

to take an oath not only "to support" the Constitution of the United States, but also "to support and sustain" — mark here the reduplication! — the territorial act and the Fugitive-Slave bill; thus erecting a test for the function of the bar, calculated to exclude citizens who honestly regard that latter legislative enormity as unfit to be obeyed. And thirdly, by another act, entitled, "An act concerning jurors," all persons, "conscientiously opposed to holding slaves," or "not admitting the right to hold slaves in the territory, are excluded from the jury on every question, civil and criminal, arising out of asserted slave property; while, in all cases, the summoning of the jury is left without one word of restraint to "the marshal, sheriff, or other officer," who are thus free to pack it according to their tyrannical discretion.

For the ready enforcement of all statutes against human freedom, the President had already furnished a powerful quota of officers in the governor, chief justice, judges, secretary, attorney, and marshal. The legislature completed this part of the work by constituting in each county a board of commissioners, composed of two persons, associated with the probate judge, whose duty it is "to appoint a county treasurer, coroner, justices of the peace, constables, and *all* other officers provided for by law," and then proceeded to the choice of this very board; thus delegating and diffusing

their usurped power, and tyrannically imposing upon the territory a crowd of officers in whose appointment the people have had no voice, directly or indirectly.

And still the final inexorable work remained. A legislature, renovated in both branches, could not assemble until 1858, so that, during this long intermediate period, this whole system must continue in the likeness of law unless overturned by the federal government, or, in default of such interposition, by a generous uprising of an oppressed people. But it was necessary to guard against the possibility of change, even tardily, at a future election; and this was done by two different acts: under the first of which all who will not take the oath to support the Fugitive-Slave bill are excluded from the elective franchise; and under the second of which, all others are entitled to vote who shall tender a tax of one dollar to the sheriff on the day of election; thus, by provision of territorial law, disfranchising all opposed to slavery, and at the same time opening the door to the votes of the invaders; by an unconstitutional shibboleth excluding from the polls the mass of actual settlers, and by making the franchise depend upon a petty tax only, admitting to the polls the mass of borderers from Missouri. Thus, by tyrannical forethought, the usurpation not only fortified all that it did, but assumed a *self-perpetuating* energy.

Thus was the crime consummated. Slavery now stands erect, clanking its chains on the territory of Kansas, surrounded by a code of death, and trampling upon all cherished liberties, whether of speech, the press, the bar, the trial by jury, or the electoral franchise. And, sir, all this has been done, not merely to introduce a wrong which in itself is a denial of all rights, and in dread of which a mother has lately taken the life of her offspring; not merely, as has been sometimes said, to protect slavery in Missouri, since it is futile for this state to complain of freedom on the side of Kansas, when freedom exists without complaint on the side of Iowa, and also on the side of Illinois; but it has been done for the sake of political power, in order to bring two new slave-holding senators upon this floor, and thus to fortify in the national government the desperate chances of a waning oligarchy. As the ship, voyaging on pleasant summer seas, is assailed by a pirate crew, and robbed for the sake of its doubloons and dollars, so is this beautiful territory now assailed in its peace and prosperity, and robbed, in order to wrest its political power to the side of slavery. Even now the black flag of the land-pirates from Missouri waves at the masthead; in their laws you hear the pirates yell, and see the flash of the pirate-knife; while, incredible to relate! the President, gathering the slave power at his back, testifies a pirate sympathy.

Sir, all this was done in the name of popular sovereignty. And this is the close of the tragedy. Popular sovereignty, which, when truly understood, is a fountain of just power, has ended in popular slavery; not merely in the subjection of the unhappy African race, but of this proud Caucasian blood, which you boast. The profession with which you began, of *All by the people*, has been lost in the wretched reality of *Nothing for the people*. Popular sovereignty, in whose deceitful name plighted faith was broken, and an ancient landmark of freedom was overturned, now lifts itself before us, like sin, in the terrible picture of Milton,

"That seemed a woman to the waist, and fair,
But ended foul in many a scaly fold
Voluminous and vast, a serpent armed
With mortal sting; about her middle round
A cry of hell-hounds never ceasing barked
With wide Cerberean mouths full loud, and rung
A hideous peal; yet, when they list, would creep,
If aught disturbed their noise, into her womb,
And kennel there, yet there still barked and howled
Within, unseen."

The image is complete at all points; and, with this exposure, I take my leave of the crime against Kansas.

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I now pass to the consideration of the various remedies proposed, ending with the *true remedy*.

The remedy should be coëxtensive with the original wrong; and since, by the passage of

the Nebraska bill, not only Kansas, but also Nebraska, Minnesota, Washington, and even Oregon have been opened to slavery, the original prohibition should be restored to its complete activity throughout these various territories. By such a happy restoration, made in good faith, the whole country would be replaced in the condition which it enjoyed before the introduction of that dishonest measure. Here is the Alpha and the Omega of our aim in this immediate controversy. But no such extensive measure is now in question. The crime against Kansas has been special, and all else is absorbed in the special remedies for it. Of these I shall now speak.

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There is the remedy of tyranny, which, though espoused on this floor especially by the senator from Illinois, proceeds from the President, and is embodied in a special message. It proposes to enforce obedience to the existing laws of Kansas, "whether federal or local," when, in fact, Kansas has no "local" laws except those imposed by the usurpation from Missouri; and it calls for additional appropriations to complete this work of tyranny.

I shall not follow the President in his elaborate endeavor to prejudge the contested election now pending in the House of Representatives; for this whole matter belongs to the privileges of that body, and neither the President nor the Senate has a right to intermeddle therewith.

I do not touch it. But now, while dismissing it, I should not pardon myself if I failed to add, that any person who founds his claim to a seat in Congress on the pretended votes of hirelings from another state, with no home on the soil of Kansas, plays the part of Anacharsis Clootz, who, at the bar of the French Convention, undertook to represent nations that knew him not, or, if they knew him, scorned him; with this difference, that in our American case the excessive farce of the transaction cannot cover its tragedy. But all this I put aside to deal only with what is legitimately before the Senate.

I expose simply the tyranny which upholds the existing usurpation, and asks for additional appropriations. Let it be judged by an example from which, in this country, there can be no appeal. Here is the speech of George III., made from the throne to Parliament in response to the complaints of the Province of Massachusetts Bay, which, though smarting under laws passed by usurped power, had yet avoided all armed opposition, while Lexington and Bunker Hill still slumbered in rural solitude, unconscious of the historic kindred which they were soon to claim. Instead of Massachusetts Bay in the royal speech, substitute Kansas, and the message of the President will be found fresh on the lips of the British King. Listen now to the words which, in opening Parliament, 30th November, 1774, his Majesty,

according to the official report, was pleased to speak:

"*My Lords and Gentlemen:*

"It gives me much concern that I am obliged, at the opening of this Parliament, to inform you that a most daring *spirit of resistance* and *disobedience to the law* still unhappily prevails in the Province of the *Massachusetts Bay*, and has in divers parts of it broke forth in fresh violences of a very criminal nature. *These proceedings have been countenanced in other of my Colonies*, and *unwarrantable attempts have been made to obstruct the Commerce of this Kingdom, by unlawful combinations.* I have taken such measures and given such orders as I have judged most proper and effectual *for carrying into execution the laws which were passed in the last session of the late Parliament* for the protection and security of the commerce of my subjects, and for the restoring and preserving peace, order, and good government in the Province of the Massachusetts Bay." — *American Archives*, 4th series, vol. 1, p. 1465.

The king complained of a "daring spirit of resistance and disobedience to the law"; so also does the President. The king adds that it has "broke forth in fresh violences of a very criminal nature"; so also does the President. The king declares that these proceedings have been "countenanced and encouraged in other of my colonies"; even so the President declares that Kansas has found sympathy in "remote states." The king inveighs against "unwarrantable measures" and "unlawful combinations"; even so inveighs the President. The king proclaims that he has taken the necessary steps "for carrying into execution the

laws" passed in defiance of the constitutional rights of the colonies; even so the President proclaims that he shall "exert the whole power of the federal executive" to support the usurpation in Kansas. The parallel is complete. The message, if not copied from the speech of the king, has been fashioned on the same original block, and must be dismissed to the same limbo. I dismiss its tyrannical assumptions in favor of the usurpation. I dismiss also its petition for additional appropriations in the affected desire to maintain order in Kansas. It is not money or troops that you need there, but simply the good-will of the President. That is all, absolutely. Let his complicity with the crime cease, and peace will be restored. For myself, I will not consent to wad the national artillery with fresh appropriation bills, when its murderous hail is to be diverted against the constitutional rights of my fellow-citizens.

Next comes the remedy of folly, which, indeed, is also a remedy of tyranny; but its folly is so surpassing as to eclipse even its tyranny. It does not proceed from the President. With this proposition he is not in any way chargeable. It comes from the senator from South Carolina, who, at the close of a long speech, offered it as his single contribution to the adjustment of this question, and who thus far stands alone in its support. It might, therefore, fitly bear his name; but that

which I now give it is a more suggestive synonym.

This proposition, nakedly expressed, is that the people of Kansas should be deprived of their arms. That I may not do the least injustice to the senator, I quote his precise words:

"The President of the United States is under the highest and most solemn obligations to interpose; and if I were to indicate the manner in which he should interpose in Kansas, I would point out the old common-law process; I would serve a warrant on Sharpe's rifles, and if Sharpe's rifles did not answer the summons, and come into court on a day certain, or if they resisted a sheriff, I would summon the *posse comitatus*, and would have Colonel Sumner's regiment to be a part of that *posse comitatus*."

Really, sir, has it come to this? The rifle has ever been the companion of the pioneer, and, under God, his tutelary protector against the red man and the beast of the forest. Never was this efficient weapon more needed in just self-defense than now in Kansas, and at least one article in our national Constitution must be blotted out before the complete right to it can in any way be impeached. And yet, such is the madness of the hour, that, in defiance of the solemn guaranty embodied in the Amendments of the Constitution, that "the right of the people to keep and bear arms shall not be infringed," the people of Kansas have been arraigned for keeping and bearing them, and the senator from South Carolina has had

the face to say openly, on this floor, that they should be disarmed; of course that the fanatics of slavery, his allies and constituents, may meet no impediment. Sir, the senator is venerable with years; he is reputed also to have worn at home, in the state which he represents judicial honors; and he is placed here at the head of an important committee occupied particularly with questions of law; but neither his years nor his position, past or present, can give respectability to the demand he has made, or save him from indignant condemnation, when, to compass the wretched purposes of a wretched cause, he thus proposes to trample on one of the plainest provisions of constitutional liberty.

Next comes the remedy of injustice and civil war, organized by act of Congress. This proposition, which is also an offshoot of the original remedy of tyranny, proceeds from the senator from Illinois [Mr. Douglas], with the sanction of the committee on territories, and is embodied in the bill which is now pressed to a vote.

By this bill it is proposed as follows:

"That whenever it shall appear, by a census to be taken under the direction of the governor, by the authority of the legislature, that there shall be 93,420 inhabitants (that being the number required by the present ratio of representation for a member of Congress) within the limits hereafter described as the territory of Kansas, *the legislature of said territory shall be, and is hereby, authorized to provide by law for*

the election of delegates, by the people of said territory, to assemble in convention, and form a Constitution and state government, preparatory to their admission into the Union on an equal footing with the original states in all respects whatsoever, by the name of the State of Kansas."

Now, sir, consider these words carefully, and you will see that, however plausible and velvet-pawed they may seem, yet, in reality, they are most unjust and cruel. While affecting to initiate honest proceedings for the formation of a state, they furnish to this territory no redress for the crime under which it suffers; nay, they recognize the very usurpation in which the crime ended, and proceed to endow it with new prerogatives. It is *by the authority of the legislature* that the census is to be taken, which is the first step in the work. It is also *by the authority of the legislature* that a convention is to be called for the formation of a constitution, which is the second step. But the legislature is not obliged to take either of these steps. To its absolute willfulness is it left to act or not to act in the premises. And since, in the ordinary course of business, there can be no action of the legislature till January of the next year, all these steps, which are preliminary in their character, are postponed till after that distant day; thus keeping this great question open to distract and irritate the country. Clearly this is not what is required. The country desires peace at once, and is determined to

have it. But this objection is slight by the side of the glaring tyranny that, in recognizing the legislature and conferring upon it these new powers, the bill recognizes the existing usurpation, not only as the authentic government of the territory for the time being, but also as possessing a creative power to reproduce itself in the new state. Pass this bill, and you enlist Congress in the conspiracy, not only to keep the people of Kansas in their present subjugation, throughout their territorial existence, but also to protract this subjugation into their existence as a state, while you legalize and perpetuate the very *force* by which slavery has been already planted there.

I know that there is another deceptive clause which seems to throw certain safeguards around the election of delegates to the convention, *when that convention shall be ordered by the legislature;* but out of this very clause do I draw a condemnation of the usurpation which the bill recognizes. It provides that the tests, coupled with the electoral franchise, shall not prevail in the election of delegates, and thus impliedly condemns them. But if they are not to prevail on this occasion, why are they permitted at the election of the legislature? If they are unjust in the one case, they are unjust in the other. If annulled at the election of delegates, they should be annulled at the election of the legislature; *whereas the bill of the senator leaves all these offensive tests in full*

activity at the election of the very legislature out of which this whole proceeding is to come, and it leaves the polls at both elections in the control of the officers appointed by the usurpation. Consider well the facts. By an existing statute, establishing the Fugitive-Slave bill as a shibboleth, a large portion of the honest citizens are excluded from voting for the legislature, while, by another statute, all who present themselves with a fee of one dollar, whether from Missouri or not, and who utter this shibboleth, are entitled to vote. And it is a legislature thus chosen, under the auspices of officers appointed by the usurpation, that you now propose to invest with parental powers to rear the territory into a state. You recognize and confirm the usurpation which you ought to annul without delay. You put the infant state, now preparing to take a place in our sisterhood, to suckle with the wolf, which you ought at once to kill. The improbable story of Baron Munchausen is verified. The bear which thrust itself into the harness of the horse it had devoured, and then whirled the sledge according to mere brutal bent, is recognized by this bill, and kept in its usurped place, when the safety of all requires that it should be shot.

In characterizing this bill as the remedy of injustice and civil war, I give it a plain, self-evident title. It is a continuation of the crime against Kansas, and as such deserves

the same condemnation. It can only be defended by those who defend the crime. Sir, you cannot expect that the people of Kansas will submit to the usurpation which this bill sets up and bids them bow before, as the Austrian tyrant set up his cap in the Swiss market-place. If you madly persevere, Kansas will not be without her William Tell, who will refuse, at all hazards, to recognize the tyrannical edict; and this will be the beginning of civil war.

Next, and lastly, comes the remedy of justice and peace, proposed by the senator from New York [Mr. Seward], and embodied in his bill for the immediate admission of Kansas as a state of this Union, now pending as a substitute for the bill of the senator from Illinois. This is sustained by the prayer of the people of the territory, setting forth a constitution formed by a spontaneous movement, in which all there had opportunity to participate, without distinction of party. Rarely has any proposition, so simple in character, so entirely practicable, so absolutely within your power, been presented, which promised at once such beneficent results. In its adoption, the crime against Kansas will be all happily absolved, the usurpation which it established will be peacefully suppressed, and order will be permanently secured. By a joyful metamorphosis, this fair territory may be saved from outrage.

"'O, help,' she cries, 'in this extremest need,
If you who hear are Deities indeed!
Gape, earth, and make for this dread foe a tomb,
Or change my form, whence all my sorrows come!'"

In offering this proposition, the senator from New York has entitled himself to the gratitude of the country. He has, throughout a life of unsurpassed industry and of eminent ability, done much for freedom, which the world will not let die; but he has done nothing more opportune than this, and he has uttered no words more effective than the speech, so masterly and ingenious, by which he has vindicated it.

Kansas now presents herself for admission with a constitution republican in form. And, independent of the great necessity of the case, three considerations of fact concur in commending her: first, she thus testifies her willingness to relieve the federal government of the considerable pecuniary responsibility to which it is now exposed on account of the pretended territorial government; secondly, she has, by her recent conduct, particularly in repelling the invasion of Wacherusa, evinced an ability to defend her government; and, thirdly, by the pecuniary credit which she now enjoys she shows an undoubted ability to support it. What now can stand in her way?

The power of Congress to admit Kansas at once is explicit. It is found in a single clause of the Constitution, which, standing by itself,

without any qualification applicable to the present case, and without doubtful words, requires no commentary. Here it is:

"New states *may* be admitted by Congress into this Union; but no new state shall be formed or erected within the jurisdiction of any other state, nor any state be formed by the junction of two or more states or parts of states, without the consent of the legislatures of the states concerned, as well as of the Congress."

New states may be admitted. Out of that little word "may" comes the power, broadly and fully,—without any limitation founded on population or preliminary forms,—provided the state is not within the jurisdiction of another state, nor formed by the junction of two or more states or parts of states, without the consent of the legislatures of the states. Kansas is not within the *legal* jurisdiction of another state, although the laws of Missouri have been tyrannically extended over her; nor is Kansas formed by the junction of two or more states; and therefore Kansas *may* be admitted by Congress into the Union, without regard to population or preliminary forms. You cannot deny the power without obliterating this clause of the Constitution. The senator from New York was right in rejecting all appeal to precedents as entirely irrelevant; for the power invoked is clear and express in the Constitution, which is above all precedent. But since precedent has been enlisted, let us look at precedent.

It is objected that the population of Kansas is not sufficient for a state; and this objection is sustained by under-reckoning the numbers there, and exaggerating the numbers required by precedent. In the absence of any recent census, it is impossible to do more than approximate to the actual population; but from careful inquiry of the best sources, I am led to place it now at fifty thousand, though I observe that a prudent authority, the Boston Daily Advertiser, puts it as high as sixty thousand; and while I speak, this remarkable population, fed by fresh emigration, is outstripping even these calculations. Nor can there be a doubt that, before the assent of Congress can be perfected, in the ordinary course of legislation, this population will swell to the large number of ninety-three thousand four hundred and twenty required in the bill of the senator from Illinois. *But in making this number the condition of the admission of Kansas, you set up an extraordinary standard.* There is nothing out of which it can be derived, from the beginning to the end of the precedents. Going back to the days of the Continental Congress, you will find that, in 1784, it was declared that twenty thousand freemen in a territory might "establish a permanent constitution and government for themselves"; and[1] though this number was afterwards, in the Ordinance of 1787 for the Northwestern

[1] Journals of Congress, vol. 4, p. 379.

Territory, raised to sixty thousand, yet the power was left in Congress, and subsequently exercised in more than one instance, to constitute a state with a smaller number. Out of all the new states, only Maine, Wisconsin, and Texas contained, at the time of their admission into the Union, so large a population as it is proposed to require in Kansas; while no less than *fourteen* new states have been admitted with a smaller population.

. . . . .

But I will not stake this cause on any precedent. I plant it firmly on the fundamental principle of American institutions, as embodied in the Declaration of Independence, by which government is recognized as deriving its just powers only *from the consent of the governed*, who may alter or abolish it when it becomes destructive of their rights. In the debate on the Nebraska bill, at the overthrow of the prohibition of slavery, the Declaration of Independence was denounced as a "self-evident lie." It is only by a similar audacity that the fundamental principle which sustains the proceedings in Kansas can be assailed.

. . . . .

Self-defense is the first law of nature; and unless this law is temporarily silenced,—as all other law has been silenced there,—you cannot condemn the proceedings in Kansas. Here, sir, is an unquestionable authority, *in itself an overwhelming law*, which belongs to

all countries and times; which is the same in Kansas as at Athens and Rome; which is now, and will be hereafter, as it was in other days; in presence of which acts of Congress and constitutions are powerless as the voice of man against the thunder which rolls through the sky; which whispers itself coëval with life; whose very breath is life itself; and now, in the last resort, do I place all these proceedings under this supreme safeguard, which you will assail in vain. Any opposition must be founded on a fundamental perversion of facts, or a perversion of fundamental principles, which no speeches can uphold, though surpassing in numbers the nine hundred thousand piles driven into the mud in order to sustain the Dutch Stadt-house at Amsterdam.

. . . . .

Sir, the people of Kansas, bone of your bone and flesh of your flesh, with the education of freemen and the rights of American citizens, now stand at your door. Will you send them away, or bid them enter? Will you push them back to renew their struggles with a deadly foe, or will you preserve them in security and peace? Will you cast them again into the den of tyranny, or will you help their despairing efforts to escape? These questions I put with no common solicitude; for I feel that on their just determination depend all the most precious interests of the republic; and I perceive too clearly the preju-

dices in the way, and the accumulating bitternesses against this distant people, now claiming their simple birthright, while I am bowed with mortification as I recognize the President of the United States, who should have been a staff to the weak and a shield to the innocent, at the head of this strange oppression.

At every stage the similitude between the wrongs of Kansas and those other wrongs against which our fathers rose becomes more apparent. Read the Declaration of Independence, and there is hardly an accusation which is there directed against the British monarch which may not now be directed with increased force against the American President. The parallel has a fearful particularity. Our fathers complained that the king had "sent hither swarms of officers to harass our people and eat out their substance"; that he "had combined with others to subject us to a jurisdiction foreign to our Constitution, *giving his assent to their acts of pretended legislation*"; that "he had abdicated government here, by declaring us out of his protection, and *waging war against us*"; that "he had excited domestic insurrection among us, and *endeavored to bring on the inhabitants of our frontier the merciless savages*"; that "our repeated petitions have been answered only by repeated injury." And this arraignment was aptly followed by the damning words, that "a prince,

whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people." And surely a President who has done all these things cannot be less unfit than a prince. At every stage the responsibility is brought directly to him. His offense has been both of commission and omission. He has done that which he ought not to have done, and he has left undone that which he ought to have done. By his activity the prohibition of slavery was overturned. By his failure to act, the honest emigrants in Kansas have been left a prey to wrong of all kinds. *Nullum flagitium extitit, nisi per te; nullum flagitium sine te.* And now he stands forth the most conspicuous enemy of that unhappy territory.

As the tyranny of the British king is all renewed in the President, so on this floor have the old indignities been renewed which embittered and fomented the troubles of our fathers. The early petition of the American Congress to Parliament, long before any suggestion of independence, was opposed, like the petitions of Kansas, because that body "was assembled without any requisition on the part of the supreme power." Another petition from New York, presented by Edmund Burke, was flatly rejected, as claiming rights derogatory to Parliament. And still another petition from Massachusetts Bay was dismissed as "vexatious and scandalous," while the patriot philosopher who

bore it was exposed to peculiar contumely. Throughout the debates our fathers were made the butt of sorry jests and supercilious assumptions. And now these scenes, with these precise objections, have been renewed in the American Senate.

With regret I come again upon the senator from South Carolina [Mr. Butler], who, omnipresent in this debate, overflowed with rage at the simple suggestion that Kansas had applied for admission as a state; and with incoherent phrases, discharged the loose expectoration of his speech, now upon her representatives, and then upon her people. There was no extravagance of the ancient parliamentary debate which he did not repeat; nor was there any possible deviation from truth which he did not make, with so much of passion, I am glad to add, as to save him from the suspicion of intentional aberration. But the senator touches nothing that he does not disfigure, — with error, sometimes of principle, sometimes of fact. He shows an incapacity of accuracy, whether in stating the Constitution or in stating the law; whether in the details of statistics or the diversions of scholarship. He cannot open his mouth but out there flies a blunder. Surely he ought to be familiar with the life of Franklin; and yet he referred to this household character, while acting as agent of our fathers in England, as above suspicion; and this was done that he might give point to a false contrast with the

agent of Kansas; not knowing that, however they may differ in genius and fame, in this experience they are alike; that Franklin, when intrusted with the petition of Massachusetts Bay, was assaulted by a foul-mouthed speaker, where he could not be heard in defense, and denounced as a "thief," even as the agent of Kansas has been assaulted on this floor, and denounced as a "forger." And let not the vanity of the senator be inspired by the parallel with the British statesman of that day; for it is only in hostility to freedom that any parallel can be recognized.

But it is against the people of Kansas that the sensibilities of the senator are particularly aroused. Coming, as he announces, "from a state,"—ay, sir, from South Carolina,—he turns with lordly disgust from this newly formed community, which he will not recognize even as "a body politic." Pray, sir, by what title does he indulge in this egotism? Has he read the history of "the state" which he represents? He cannot surely have forgotten its shameful imbecility from slavery, confessed throughout the Revolution, followed by its more shameful assumptions for slavery since. He cannot have forgotten its wretched persistence in the slave-trade as the very apple of its eye, and the condition of its participation in the Union. He cannot have forgotten its constitution, which is republican only in name, confirming power in the hands of the few, and

founding the qualifications of its legislators on "a settled freehold estate, or ten negroes." And yet the senator to whom that "state" has in part committed the guardianship of its good name, instead of moving with backward-treading steps, to cover its nakedness, rushes forward, in the very ecstasy of madness, to expose it, by provoking a comparison with Kansas. South Carolina is old; Kansas is young. South Carolina counts by centuries, where Kansas counts by years. But a beneficent example may be born in a day; and I venture to say that against the two centuries of the older "state" may be already set the two years of trial, evolving corresponding virtue, in the younger community. In the one is the long wail of slavery; in the other the hymns of freedom. And if we glance at special achievements, it will be difficult to find anything in the history of South Carolina which presents so much of heroic spirit in an heroic cause as appears in that repulse of the Missouri invaders by the beleaguered town of Lawrence, where even the women gave their effective efforts to freedom. The matrons of Rome who poured their jewels into the treasury for the public defense; the wives of Prussia who, with delicate fingers, clothed their defenders against French invasion; the mothers of our own Revolution, who sent forth their sons covered over with prayers and blessings to combat for human rights,—did nothing of

self-sacrifice truer than did these women on this occasion. Were the whole history of South Carolina blotted out of existence, from its very beginning down to the day of the last election of the senator to his present seat on this floor, civilization might lose—I do not say how little; but surely less than it has already gained by the example of Kansas in its valiant struggle against oppression, and in the development of a new science of emigration. Already in Lawrence alone there are newspapers and schools, including a high school; and throughout this infant Territory there is more of mature scholarship, in proportion to its inhabitants, than in all South Carolina. Ah, sir, I tell the senator that Kansas, welcomed as a free state, will be a "ministering angel" to the republic when South Carolina, in the cloak of darkness which she hugs, "lies howling."

The senator from Illinois [Mr. Douglas] naturally joins the senator from South Carolina in this warfare, and gives to it the superior intensity of his nature. He thinks that the national government has not completely proved its power, as it has never hanged a traitor; but if the occasion requires, he hopes there will be no hesitation; and this threat is directed at Kansas, and even at the friends of Kansas throughout the country. Again occurs the parallel with the struggles of our fathers; and I borrow the language of Patrick Henry, when,

to the cry from the senator of "treason," "treason," I reply, "If this be treason, make the most of it." Sir, it is easy to call names; but I beg to tell the senator that if the word "traitor" is in any way applicable to those who refuse submission to a tyrannical usurpation, whether in Kansas or elsewhere, then must some new word, of deeper color, be invented to designate those mad spirits who would endanger and degrade the republic, while they betray all the cherished sentiments of the fathers and the spirit of the Constitution in order to give new spread to slavery. Let the senator proceed. It will not be the first time in history that a scaffold erected for punishment has become a pedestal of honor. Out of death comes life; and the "traitor," whom he blindly executes, will live immortal in the cause.

"For humanity sweeps onward; where to-day the martyr stands,
On the morrow crouches Judas, with the silver in his hands;
While the hooting mob of yesterday in silent awe return,
To glean up the scattered ashes into History's golden urn."

Among these hostile senators there is yet another, with all the prejudices of the senator from South Carolina, but without his generous impulses, who, on account of his character before the country, and the rancor of his opposition, deserves to be named. I mean the

senator from Virginia [Mr. Mason], who, as the author of the Fugitive-Slave bill, has associated himself with a special act of inhumanity and tyranny. Of him I shall say little, for he has said little in this debate, though within that little was compressed the bitterness of a life absorbed in the support of slavery. He holds the commission of Virginia; but he does not represent that early Virginia, so dear to our hearts, which gave to us the pen of Jefferson, by which the equality of men was declared, and the sword of Washington, by which independence was secured; but he represents that other Virginia, from which Washington and Jefferson now avert their faces, where human beings are bred as cattle for the shambles, and where a dungeon rewards the pious matron who teaches little children to relieve their bondage by reading the Book of Life. It is proper that such a senator, representing such a state, should rail against free Kansas.

But this is not all. The precedent is still more clinching. Thus far I have followed exclusively the public documents laid before Congress, and illustrated by the debates of that body; but well-authenticated facts, not of record here, make the case stronger still. It is sometimes said that the proceedings in Kansas are defective, because they originated in a party. This is not true; but, even if it were true, then would they still find support in the example of Michigan, where all the proceed-

ings, stretching through successive years, began and ended in party. The proposed state government was pressed by the Democrats as a *party test;* and all who did not embark in it were denounced. Of the legislative council which called the first constitutional convention in 1835, all were Democrats; and in the convention itself, composed of eighty-seven members, only seven were Whigs. The convention of 1836, which gave the final assent, originated in a Democratic convention on the 29th October, in the county of Wayne, composed of one hundred and twenty-four delegates, all Democrats, who proceeded to resolve,—

"That the delegates of the *Democratic party* of Wayne, solemnly impressed with the spreading evils and dangers which a refusal to go into the Union has brought upon the people of Michigan, earnestly recommend meetings to be immediately convened by their fellow-citizens in every county of the state, with a view to the expression of their sentiments in favor of the election and call of another convention, in time to secure our admission into the Union before the first of January next."

Shortly afterwards, a committee of five, appointed by this convention, all leading Democrats, issued a circular "under the authority of the delegates of the county of Wayne," recommending that the voters throughout Michigan should meet and elect delegates to a convention to give the necessary assent to the act of Congress. In pursuance of this

call, the convention met; and as it originated in an exclusively party recommendation, so it was of an exclusively party character. And it was the action of this convention that was submitted to Congress, and after discussion in both bodies, on solemn votes approved.

But the precedent of Michigan has another feature which is entitled to the gravest attention, especially at this moment, when citizens engaged in the effort to establish a state government in Kansas are openly arrested on the charge of treason, and we are startled by tidings of the maddest efforts to press this procedure of preposterous tyranny. No such madness prevailed under Andrew Jackson; although during the long pendency of the Michigan proceedings, for more than fourteen months, the territorial government was entirely ousted, and the state government organized in all its departments. One hundred and thirty different legislative acts were passed, providing for elections, imposing taxes, erecting corporations, and establishing courts of justice, including a supreme court and a court of chancery. All process was issued in the name of the people of the state of Michigan. And yet no attempt was made to question the legal validity of these proceedings, whether legislative or judicial. Least of all did any menial governor, dressed in a little brief authority, play the fantastic tricks which we now witness in Kansas; nor did any person,

wearing the robes of justice, shock high heaven with the mockery of injustice now enacted by emissaries of the President in that territory. No, sir; nothing of this kind then occurred. Andrew Jackson was President.

Senators such as these are the natural enemies of Kansas; and I introduce them with reluctance, simply that the country may understand the character of the hostility which must be overcome. Arrayed with them, of course, are all who unite, under any pretext or apology, in the propagandism of human slavery. To such, indeed, the time-honored safeguards of popular rights can be a name only, and nothing more. What are trial by jury, habeas corpus, the ballot-box, the right of petition, the liberty of Kansas, your liberty, sir, or mine, to one who lends himself not merely to the support at home, but to the propagandism abroad, of that preposterous wrong which denies even the right of a man to himself? Such a cause can be maintained only by a practical subversion of all rights. It is, therefore, merely according to reason that its partisans should uphold the usurpation in Kansas.

To overthrow this usurpation is now the special, importunate duty of Congress, admitting of no hesitation or postponement. To this end, it must lift itself from the cabals of candidates, the machinations of party, and the low level of vulgar strife. It must turn from that slave oligarchy which now controls the

replubic, and refuse to be its tool. Let its power be stretched forth towards this distant territory, not to bind, but to unbind; not for the oppression of the weak, but for the subversion of the tyrannical; not for the prop and maintenance of a revolting usurpation, but for the confirmation of liberty.

"These are imperial arts, and worthy thee!"

Let it now take its stand between the living and dead, and cause this plague to be stayed. All this it can do; and if the interests of slavery did not oppose, all this it would do at once, in reverent regard for justice, law, and order, driving far away all the alarms of war; nor would it dare to brave the shame and punishment of this great refusal. But the slave power dares anything; and it can be conquered only by the united masses of the people. From Congress to the people I appeal.

Already public opinion gathers unwonted forces to scourge the aggressors. In the press, in daily conversation wherever two or three are gathered together, there the indignant utterance finds vent. And trade, by unerring indications, attests the growing energy. Public credit in Missouri droops. The six per cents of that state, which at par should be one hundred and two, have sunk to eighty-four and one fourth; thus at once completing the evidence of the crime, and attesting its punishment. Business is now turning from the

assassins and thugs that infest the Missouri River on the way to Kansas, to seek some safer avenue And this, though not important in itself, is typical of greater changes. The political credit of the men who uphold the usurpation droops even more than the stocks; and the people are turning from all those through whom the assassins and thugs have derived their disgraceful immunity.

It was said of old, "Cursed be he that removeth his neighbor's landmark. *And all the people shall say, Amen.*"[1] Cursed, it is said, in the city and in the field; cursed in basket and store; cursed when thou comest in, and cursed when thou goest out. These are terrible imprecations; but if ever any landmark was sacred, it was that by which an immense territory was guarded *forever* against slavery; and if ever such imprecations could justly descend upon any one, they must descend upon all who, not content with the removal of this sacred landmark, have since, with criminal complicity, fostered the incursions of the great wrong against which it was intended to guard. But I utter no imprecations. These are not my words; nor is it my part to add to or subtract from them. But, thanks be to God! they find a response in the hearts of an aroused people, making them turn from every man, whether President or senator or representative, who has been

[1] Deut. xxvii. 17.

engaged in this crime, — especially from those who, cradled in free institutions, are without the apology of education or social prejudice, — until of all such those other words of the prophet shall be fulfilled: "I will set my face against that man, and make him a sign and a proverb, and I will cut him off from the midst of my people." [1] Turning thus from the authors of this crime, the people will unite once more with the fathers of the republic, in a just condemnation of slavery, — determined especially that it shall find no home in the national territories, — while the slave power in which the crime had its beginning, and by which it is now sustained, will be swept into the charnel-house of defunct tyrannies.

In this contest Kansas bravely stands forth, the stripling leader, clad in the panoply of American institutions. In calmly meeting and adopting a frame of government, her people have, with intuitive promptitude, performed the duties of freemen; and when I consider the difficulties by which she was beset, I find dignity in her attitude. *In offering herself for admission into the Union as a free state, she presents a single issue for the people to decide.* And since the slave power now stakes on this issue all its ill-gotten supremacy, the people, while vindicating Kansas, will at the same time overthrow this

[1] Ezekiel xiv. 8.

tyranny. Thus does the contest which she now begins involve not only liberty for herself, but for the whole country. God be praised that she did not bend ignobly beneath the yoke! Far away on the prairies, she is now battling for the liberty of all, against the President, who misrepresents all. Everywhere among those who are not insensible to right, the generous struggle meets a generous response. From innumerable throbbing hearts go forth the very words of encouragement which, in the sorrowful days of our fathers, were sent by Virginia, speaking by the pen of Richard Henry Lee, to Massachusetts, in the person of her popular tribune, Samuel Adams:

"CHANTILLY, VA., June 23, 1774.

"I hope the good people of Boston will not lose their spirits under their present heavy oppression, for they will certainly be supported by the other Colonies; and the cause for which they suffer is so glorious, and so deeply interesting to the present and future generations, that all America will owe, in a great measure, their political salvation to the present virtue of Massachusetts Bay."—*American Archives*, 4th series, vol. 1, p. 446.

In all this sympathy there is strength. But in the cause itself there is angelic power. Unseen of men, the great spirits of history combat by the side of the people of Kansas, breathing a divine courage. Above all towers the majestic form of Washington, once more, as on the bloody field, bidding them to remember those rights of human nature for which the

War of Independence was waged. Such a cause, thus sustained, is invincible.

The contest which, beginning in Kansas, has reached us will soon be transferred to a broader stage, where every citizen will be not only spectator, but actor; and to their judgment I confidently appeal. To the people, now on the eve of exercising the electoral franchise, in choosing a chief magistrate of the republic I appeal, to vindicate the electoral franchise in Kansas. Let the ballot-box of the Union, with multitudinous might, protect the ballot-box in that territory. Let the voters everywhere, while rejoicing in their own rights, help to guard the equal rights of distant fellow-citizens; that the shrines of popular institutions, now desecrated, may be sanctified anew; that the ballot-box, now plundered, may be restored; and that the cry, "I am an American citizen," may not be sent forth in vain against outrage of every kind. In just regard for free labor in that territory which it is sought to blast by unwelcome association with slave labor; in Christian sympathy with the slave, whom it is proposed to task and to sell there; in stern condemnation of the crime which has been consummated on that beautiful soil; in rescue of fellow-citizens, now subjugated to a tyrannical usurpation; in dutiful respect for the early fathers whose aspirations are now ignobly thwarted; in the name of the Constitution, which has been out-

raged, of the laws trampled down, of justice banished, of humanity degraded, of peace destroyed, of freedom crushed to earth; and in the name of the Heavenly Father, whose service is perfect freedom, — I make this last appeal.

Notes

Notes

Page 13.—WILLIAM PINKNEY.

Two kinds of people, often not clearly distinguished, took ground against slavery: the antislavery men, who wished at least to prevent its extension, and the abolitionists, who wanted to destroy it where it already existed. Among the abolitionists there were three groups: western, middle states, and New England: (1) The western abolition societies were started chiefly by former slaveholders, who crossed the Ohio River to get away from the system. Such were Rev. John Rankin and James G. Birney. (2) The middle state abolitionists were strong in Philadelphia, New York City, and central New York, and included men like Arthur and Louis Tappan and Gerrit Smith, who had money and freely gave it for the cause. (3) The New England group included Wendell Phillips, the abolition orator; John Greenleaf Whittier, the abolition poet; Theodore Parker, the abolition parson; and later James Russell Lowell, the abolition satirist.—HART: *Essentials in American History*, pp. 347, 348.

Missouri had slavery and was determined to keep it; and the supporters of the slave-interest in Congress would not for one moment consent to a restriction which should create bars to the further increase of slaves within her borders. . . . . Then began a discussion which engrossed the press of the country, and prompted many public meetings. The legislatures of northern states adopted resolutions protesting against the admission of Missouri unless the further introduction of slavery should be prohibited. . . . .

In January, 1820, the Senate resumed the con-

sideration of the Missouri Question, and for the first time in the history of the country its proceedings awakened more interest than those of the House.

In the Senate of 1820, consisting of 44 members, began that series of parliamentary efforts which in eloquence have never been surpassed. The oration of William Pinkney, of Maryland, was the masterpiece of the session.—RHODES: *History of United States*, ch. 1.

When Pinkney took his seat early in January, 1820, he was without exception the finest orator the House or Senate could produce. At no time during that long and exciting debate were the halls and galleries of either house without a crowd of listeners. But the announcement that Pinkney would speak would fill the floor and gallery of the Senate to suffocation, and pack the halls, the lobbies, and the stairways with such a gathering as came thither on no other occasion. Members of the Cabinet would desert their offices. Foreign ministers would gladly make their way through the crowded lobbies to the places set apart for them; and on the day of his great speech the House of Representatives, it is said, adjourned early that the members might attend. —MCMASTER: *History of the People of the United States*, vol. 4, p. 588.

He often poured forth too great a profusion of rhetorical imagery in extemporaneous speaking. His style was frequently too highly wrought and embellished, and his elocution too vehement and declamatory for the ordinary purposes of forensic discussion. But whoever has listened to him even upon a dry and complicated question of mere technical law, where there seemed to be nothing on which the mind delighted to fasten, must recollect what a charm he diffused over the most arid and intricate discussions by the clearness and purity of his language, and the calm flow of his graceful elocution, which seemed only to chafe, and swell, and overleap its natural channel when encountering some might-

ier theme.—WHEATON: *Life of William Pinkney* in *Library of American Biography, conducted by Jared Sparks*, vol. 6, p. 72.

At his death he had not quite completed his fifty-eighth year, an age at which men begin to regard the termination of life as an object not very remote. But his person was yet robust, his complexion florid, and his general appearance such, aided as it was by the studied carefulness of his toilet, as to give a strong impression of vigorous health and tenaciousness of life. The force of his faculties, too, which were not only unimpaired, but seemed only then to have attained full ripeness; the brilliancy of a career in which, though so long a victor, he was every day winning fresh laurels by fresh exertions; the very keenness of his relish for those gathered fruits of his fame, and for the charms of a life so eminently successful; all these, as they seemed to promise a long postponement of the common doom, rendered it more deeply affecting to the imagination when it thus suddenly arrived.—WHEATON, p. 62.

Page 77.— WENDELL PHILLIPS.

The abolitionists had a very affective method of agitation. Local societies were federated in a state society, which held an annual meeting; and into an annual national convention. Meetings and local conventions were held from time to time to arouse public sentiment, and women and negroes sat on the stage and took part in the exercises. The societies prepared petitions to the state legislatures, and to Congress, and did everything they could to interest people and to make them abolitionists. Newspapers were founded, tracts, books and almanacs were prepared, and freely illustrated with pictures of the horrors of slavery; and one college, Oberlin, admitted negro students, and became the western center of the abolition sentiment.

Meetings, societies, and publications all caused an astonishing uproar. In the South practically nobody

was allowed to advocate abolition; in the North the sensitive population expressed its horror of the abolitionists by riot. In 1835 an antislavery meeting in Boston was broken up by a mob, which laid hold of Garrison, tied a rope about his body, dragged him through the streets, and tried to kill him. In 1837 another persistent agitator and editor, Elijah Lovejoy, was murdered by a mob in Alton, Illinois, because he persisted in publishing an antislavery paper even in a free state. Colored schools were broken up, and in New York and Philadelphia colored settlements were attacked. Nobody was more hated and despised than the abolitionist.—HART: *Essentials in American History*, pp. 348, 349.

He was a prominent advocate of the doctrines of the Garrisonian abolitionists, who, believing the Constitution of the United States to be an immoral compact between freedom and slavery, refused it support, abstained from voting, and labored for the dissolution of the Union as the best means of freeing the slaves.—DRAKE: *Dictionary of American Biography*, p. 714.

He faced his audience with a tranquil mien, and a beaming aspect that was never dimmed. He spoke, and in the measured cadence of his quiet voice there was an intense feeling, but no declamation, no passionate appeal, no superficial and feigned emotion. It was simple colloquy,—a gentleman conversing. Unconsciously and surely the ear and heart were charmed. How was it done? Ah! how did Mozart do it? How, Raphael? The secret of the rose's sweetness, of the bird's ecstasy, of the sunset's glory,—that is the secret of genius and of eloquence. What was heard, what was seen was the form of noble manhood, the courteous and self-possessed tone, the flow of modulated speech, sparkling with matchless richness of illustration, with apt illusion, and happy anecdote, and historic parallel, with wit and pitiless invective, with melodious pathos, with stinging satire, with crackling epigram and limpid

humor, the bright ripples that play around the sure and steady prow of the resistless ship. Like an illuminated vase of odors, he glowed with concentrated and perfumed fire. The divine energy of his conviction utterly possessed him, and his

"Pure and eloquent blood
Spoke in his cheek, and so distinctly wrought,
That one might almost say his body thought."

Was it Pericles swaying the Athenian multitude? Was it Apollo breathing the music of the morning from his lips? No, no! It was an American patriot, a modern son of liberty, with a soul as firm and as true as was ever consecrated to unselfish duty, pleading with the American conscience for the chained and speechless victims of American inhumanity. Curtis: *Eulogy*, in *A Memorial of Wendell Phillips from the City of Boston*, p. 46.

He was a great American patriot; and no American life—no, not one—offers to future generations of his countrymen a more priceless example of inflexible fidelity to conscience and to public duty; and no American more truly than he purged the national name of its shame, and made the American flag the flag of hope for mankind.—CURTIS: *Eulogy*, p. 64.

Page 147.—STEPHEN ARNOLD DOUGLAS.

United States senator, 1847–61. As chairman of the house committee on territories he reported the joint resolution declaring Texas to be one of the United States. In the Senate he supported Clay's compromise measures of 1850, maintaining that Congress should not interfere in relation to the extension of slavery in the territories, but that the people of each should be permitted to decide whether it should be a free or slave state. Of this "Popular Sovereignty" doctrine, Douglas was the reputed author. As chairman of the territorial committee he reported in January, 1854, the celebrated bill to organize the territories of Kansas and

Nebraska, which was passed, and by which the Missouri Compromise was repealed, political parties revolutionized, and intense excitement produced in the free states. — DRAKE: *Dictionary of American Biography*, p. 278.

There was no doubt, however, that the Charleston *Courier* faithfully represented southern opinion when it remarked, "We cherish slavery as the apple of our eye, and are resolved to maintain it, peaceably if we can, forcibly if we must"; and it may confidently be stated that when the Kansas-Nebraska bill was understood to be of benefit to slavery, southern sentiment at that moment became concentrated in its favor. "The South flies to the bill," wrote Francis Lieber from South Carolina, "as moths to the candle."

The legislatures of the slave states were slower to act than those of the North. Before the bill passed the Senate only Georgia had spoken. Her House unanimously, and the Senate with only three dissenting votes, adopted resolutions strongly in favor of the bill, and instructed her delegation to vote in Congress accordingly. In Tennessee the Senate endorsed the principles of the Kansas-Nebraska act, but the House laid a similar resolution on the table. Not until after the bill had passed the United States Senate did the legislatures of Mississippi and Louisiana adopt resolutions approving it.

And now the day had come when a vote on the bill was to be taken. The Senate met on the 3d of March at the usual hour, and an animated discussion of the measure consumed the afternoon and evening. The floor was full and the galleries were crowded when Douglas rose, a half an hour before midnight, to close the debate. He offered to waive his privilege in order that they might proceed to vote; but many senators protested and begged him to go on. The importance of the occasion and the influence which this speech might have on his future career might well make even as ready a speaker as Douglas

tremble when he thought what he must confront. The bill had passed to a third reading the day previous by a vote of twenty-nine to twelve, so that argument in the Senate was needless; but the people of the North were almost unanimously against the measure and its author, and it was to them that Douglas spoke with extraordinary energy and ability, persuading and imploring them to reverse their verdict. A feeling of regret that he had provoked this controversy must have mingled with the excitement of the combatant in the contest; but there was no trace of it in his manner as he applied himself vigorously to the work of justifying himself, of defending his bill, and of hurling defiance at his opponents.

The appearance of Douglas was striking. Though very short in stature, he had an enormous head, and when he rose to take arms against the sea of troubles which opposed him, he was the very picture of intellectual force. Always a splendid fighter he seemed this night like a gladiator who contended against great odds; for, while he was backed by thirty-seven senators, among his fourteen opponents were the ablest men of the Senate, and their arguments must be answered if he expected to ride out the storm which had been raised against him. Never in the United States, in the arena of debate, had a bad cause been more splendidly advocated; never more effectively was the worse made to appear the better reason. RHODES: *History of the United States*, vol. I, pp. 469, 471.

The reception of the Kansas-Nebraska act at the North was such as to make the politicians stand aghast. The voice of the people began to be heard while the measure was yet pending. It came through the press and the pulpit, and through great mass meetings in the large cities. A majority of the northern state legislatures recorded their disapproval. Douglas was denounced on every hand as the betrayer of his country, the Judas Iscariot, and a society of women in Ohio sent him thirty pieces of

silver. His middle name "Arnold," was emphasized to connect him with the archtraitor of the Revolution. Attempting to speak in his own city of Chicago he was hooted off the stage. By his own statement he "could travel from Boston to Chicago by the light of his own effigies."

Douglas had made a frightful blunder. He and his followers had enacted into law a measure of vast moment, without having made it an issue in any campaign, without consulting their masters, the people. However popular, however powerful a political leader may be, if he presume too far on the rights and the patience of the multitude he will find himself crushed by the ponderous weight of public opinion. Douglas was no doubt an honest man at heart. But in this daring play in the presidential game he had failed to count the cost. Brilliant, popular young leader that he was, he had won the American heart as few had ever done; but now he overstepped the bounds of public forbearance, and he soon found himself dashed to the ground like a broken toy, and his presidential prospects forever blasted.—ELSON: *History of the United States of America*, vol. 4, pp. 20, 21.

Scarcely with any of our public men can Douglas be compared. The people like to compare him to Jackson for his energy and honesty. He was like the great triumvirate — Clay, Webster, and Calhoun, but "like in difference." Like them in his gift of political foresight, still he had a power over the masses possessed by neither. Like Clay, in his charm to make and hold friends and to lead his party; like Webster, in the massive substance of his thought, clothed in apt political words; like Calhoun, in the tenacity of his purpose and the subtlety of his dialectics; he yet surpassed them all in the homely sense, the sturdy strength, and indomitable persistence with which he wielded the masses and electrified the Senate.—COX: *Eight Years in Congress*, p. 213.

Of all American public men Douglas was the fiercest debater. Though a short man he had a big voice which poured forth anything that came into his mind, especially a coarse and effective personal abuse of those who opposed him. He was quick, forcible, and undaunted, and never much concerned himself about accuracy or consistency. His main defect was that he could not understand or measure the moral opposition to slavery.—HART: *Essentials in American History*, p. 386.

Page 225.—CHARLES SUMNER.

The speeches of Charles Sumner have many titles to endure in the memory of mankind. They contain the reasons on which the American people acted in taking the successive steps in the revolution which overthrew slavery, and made of a race of slaves, freemen, citizens, voters. They have a high place in literature. They are not only full of historical learning, set forth in an attractive way, but each of the more important of them was itself an historical event. They afford a picture of a noble public character. They are an example of the application of the loftiest morality to the conduct of the state. They are an arsenal of weapons ready for the friends of freedom in all the great battles when she may be in peril hereafter. They will not be forgotten unless the world shall attain to such height of virtue that no stimulant to virtue shall be needed, or to a depth of baseness from which no stimulant can arouse it. —HON. GEORGE F. HOAR, *in Sumner's Complete Works;* vol. I, p. vii.

Among American statesmen his life especially illustrates the truth he early expressed that politics is but the application of moral principles to public affairs. Throughout his public career he was the distinctive representative of the moral conviction and political purpose of New England. His ample learning and various accomplishments were rivaled among American public men only by those of John

Quincy Adams, and during all the fury of political passion in which he lived there was never a whisper or suspicion of his political honesty or his personal integrity. He was fortunate in the peculiar adaptation of his qualities to his time. His profound conviction, supreme conscientiousness, indomitable will, affluent resources, and inability to compromise, his legal training, serious temper, and untiring energy, were indispensable in the final stages of the slavery controversy, and he had them all in the highest degree.—GEORGE WILLIAM CURTIS, *in Appleton's Cyclopædia of American Biography*, vol. 5, p. 749.

On the 17th of March, 1856, Mr. Douglas introduced "A bill to authorize the people of the territory of Kansas to form a constitution and state government, preparatory to their admission into the Union, when they have the requisite population." Subsequently, Mr. Seward moved, by way of substitute, another bill, providing for immediate action, and entitled "A bill for the admission of the state of Kansas into the Union." Debate ensued, and was continued by adjournment from time to time. In the course of this debate, on the 19th and 20th of May, Mr. Sumner made the speech printed in the foregoing pages.

This speech found unexpected audience from an incident which followed its delivery. It became a campaign document in the Presidential election then at hand, and was circulated by the hundred thousand. Besides reprint in newspapers, there were large pamphlet editions in Washington, New York, Boston, and San Francisco. Editions appeared in German and Welsh. It was reprinted in London, in a publication by Nassau W. Senior, the eminent publicist and economist, entitled "American Slavery: A Reprint of an Article on 'Uncle Tom's Cabin' in the 'Edinburgh Review,' and of Mr. Sumner's speech of the 19th and 20th of May, 1856."

At the period of its delivery an intense excitement prevailed throughout the country. At the North

there was a deep sense of wrong, with indignation at the pretensions of the Slave Power, yearning for a voice in Congress that should speak out the general sentiment. These influences reached Mr. Sumner before he spoke, in numerous letters.—CHARLES SUMNER: *Complete Works*, vol. 5, p. 127.

Sumner knew not fear; and his sincerity was absolute. His speech was prepared with care. To write out such a philippic in the cool seclusion of the study, and deliver it without flinching, was emphasizing to the southerners that in Sumner they had a persistent antagonist whom the fury of their threats could not frighten.

If there had been no more to Sumner's speech than the invective against the slave power he would not have been assaulted by Preston Brooks. Nor is it probable that the bitter attack which the senator made on South Carolina would have provoked the violence had it not been coupled with personal allusions to Senator Butler, who was a kinsman of Brooks.—RHODES: *History of the United States*, vol. 2, p. 134.

Two days after making this speech, as Sumner sat at his desk writing, after the Senate had adjourned, he was assaulted with a cane by Preston Brooks, a member of the House and a relative of Senator Butler. Brooks rained blows on Sumner's head with great ferocity. Sumner sat so near his desk that he had no chance to defend himself; but at length he rose, wrenching the desk from its fastenings. Brooks then grappled with him and continued his blows until Sumner fell bleeding and unconscious to the floor. ELSON: *History of the United States of America*, vol. 4, p. 38.

Sumner divided his speech under three different heads: "The Crime against Kansas, in its origin and extent; the Apologies for the Crime; the True Remedy." The discussion under the second head has been omitted. The other omissions are comparatively slight.—EDITOR.

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